



REGULAR MEETING OF THE LADY LAKE TOWN COMMISSION

DATE: Monday, November 7, 2016
TIME: 6:00 p.m.
PLACE: Town Hall Commission Chambers
409 Fennell Blvd., Lady Lake, Florida

ALL INTERESTED PERSONS ARE CORDIALLY INVITED TO ATTEND THIS PUBLIC MEETING

AGENDA*

- A. CALL TO ORDER:** Mayor Ruth Kussard
- B. PROCEDURAL:** *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*
- C. INVOCATION¹:** Rev. Daniel Burgess - Lady Lake Wesleyan Methodist Church
- D. PLEDGE OF ALLEGIANCE**
- E. ROLL CALL**
- F. PUBLIC COMMENTS²**
- G. PRESENTATION:**
1. Presentation to Lady Lake Police Department by Crimeline (Barb Bergin/Chris McKinstry) (Pg. 4)
 2. Check Presentation to the Lady Lake Police Department by the American Legion Post #347 Women's Auxiliary (Carol Perone-Udell/Chris McKinstry) (Pg. 5)
 3. Plaque Presentation to Shirley Kimmons of the Lady Lake Historical Society (Mike Burske/Mayor Kussard) (Pg. 6)
- H. CONSENT³:**
4. Minutes – October 17, 2016 – Commission Workshop Meeting (Pg. 7)
– October 17, 2016 – Regular Commission Meeting

5. Consideration of Approval to Renew the Child Protection Investigations Project Memorandum of Understanding (MOU) with the Haven of Lake & Sumter Counties, Inc. (Chris McKinstry) (Pg. 23)
6. Consideration to Accept and Sign the Local Agency Program Agreement from F.D.O.T. District 5 for Construction Engineering and Inspection (CEI) Services and the Construction of the Villages Elementary School Sidewalks at CR 25 through the Safe Routes to School Grant Program (Mike Burske) (Pg. 27)
7. Consideration of the Revised Wastewater Treatment Plant Reservation and Bulk Treatment Agreement with the City of Fruitland Park (C.T. Eagle) (Pg. 32)

I. OLD BUSINESS

J. NEW BUSINESS:

8. Consideration of Approval to Award Bid No. 2016-0003 for Construction of the Villages Elementary School Sidewalks at CR 25 (Safe Routes to School Sidewalk Phase 2) to Hartman Civil Construction Co., Inc. (Mike Burske) (Pg. 50)
9. Consideration of the Interlocal Agreement between the Town of Lady Lake and the Lake-Sumter Metropolitan Planning Organization Relating to the Town of Lady Lake Pavement Management Program (C.T. Eagle) (Pg. 77)

K. TOWN ATTORNEY'S REPORT:

10. **Resolution No. 2016-111** – First/Final Reading – In Support of the Safe Routes to School Project, FPN #433200-58/68-01 (Mike Burske) (Pg. 90)
11. **Ordinance No. 2016-30** – First Reading – Annexation – Schimerhorn/Hall – Two Lots Located at the Corner of Lakeview Drive and Griffinview Drive, within Lake County, FL (Alternate Keys 1770971 & 3868840) (Thad Carroll) (Pg. 91)
12. **Ordinance No. 2016-31** – First Reading – Small Scale Future Land Use Comprehensive Plan Amendment – Schimerhorn/Hall – from Lake County Urban Low Density to Lady Lake Mixed Residential Low Density (MR-LD) – Two Lots Located at the Corner of Lakeview Drive and Griffinview Drive, within Lake County, FL (Alternate Keys 1770971 & 3868840) (Thad Carroll) (Pg. 130)
13. **Ordinance No. 2016-32** – First Reading – Rezoning – Schimerhorn/Hall – from Lake County Estate Residential (R-2) to Lady Lake Mixed Low Density Residential (MX-5) – Two Lots Located at the Corner of Lakeview Drive and Griffinview Drive, within Lake County, FL (Alternate Keys 1770971 & 3868840) (Thad Carroll) (Pg. 168)

L. TOWN MANAGER'S REPORT:

M. MAYOR/COMMISSIONER'S REPORT:

N. PUBLIC COMMENTS⁴

O. ADJOURN

***Back up for agenda items is available on the Town's website at www.ladylake.org or contact the Town Clerk at (352) 751-1571.**

This public hearing is being conducted in a handicapped accessible location. Any handicapped person requiring an interpreter for the hearing impaired or the visually impaired should contact the Clerk's Office at least two (2) days prior to the meeting and an interpreter will be provided. To access a Telecommunication Device for Deaf Persons (TDD), please call (352) 751-1565. Any handicapped person requiring special accommodations at this meeting should contact the Clerk's Office at least two (2) days prior to the meeting.

Advice to the Public: If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he may need a verbatim record of the proceedings including the testimony and evidence, a record of which is not provided by the Town of Lady Lake. (F.S. 286-0105)

Please be advised that one or more members of any other Town Board or Committee may be in attendance of this meeting.

NS/Word/Town Clerk/Agendas - Commission Meeting – 11-07-2016

¹*Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.*

²*This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*

³*All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.*

⁴*This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*

G-1

**There Is No
Packet Item
For Item G-1.**

G-2

**There Is No
Packet Item
For Item G-2.**

G-3

**There Is No
Packet Item
For Item G-3.**

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**MINUTES OF THE SPECIAL WORKSHOP MEETING
OF THE LADY LAKE TOWN COMMISSION
LADY LAKE, FLORIDA
October 17, 2016**

H-4

The Special Workshop Meeting of the Lady Lake Town Commission was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Mayor Ruth Kussard presiding. The meeting convened at 5:00 p.m.

1. CALL TO ORDER

2. ROLL CALL: Tony Holden, Commissioner Ward 2
Dan Vincent, Commissioner Ward 3
Paul Hannan, Commissioner Ward 4
Jim Richards, Commissioner Ward 5
Ruth Kussard, Mayor/Commissioner Ward 1

STAFF MEMBERS PRESENT: Kris Kollgaard, Town Manager; John Pearl, I.T. Director; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; Mike Burske, Parks and Recreation Director; Pam Winegardner, Finance Director; Police Chief Chris McKinstry; Wendy Then, Town Planner; and Nancy Slaton, Deputy Town Clerk

3. Discussion of Upcoming Projects

a. Municipal WAN Feasibility Study

Town Manager Kris Kollgaard stated that it was recommended at the last Commission workshop to proceed with the municipal WAN feasibility study. She stated staff would like to postpone this for at least a year if the Commission approves as Leesburg has put its fiber-optics out to bid; they are selling it. Ms. Kollgaard stated that it might be prudent to wait and see how this turns out, and the widening of US Hwy 27/441 is not slated for a few more years yet. She stated they will look at it again during next year's budget review.

After discussion, it was the consensus of the Commission to postpone the municipal WAN feasibility study.

b. Future Utilities Building

Ms. Kollgaard stated that the auditor had previously stated the Town could use impact fees for the new Utilities building, but has now stated the impact fees cannot be used because the utilities have not expanded enough. Instead, the auditor recommends using the infrastructure (penny sales tax) surtax funds. She stated that the Town will be using the impact fees for the relocation of the utility lines in the Skyline area, and after paying off the library loan using infrastructure surtax funds at the end of this month, there should be a balance of approximately \$50,000. Ms. Kollgaard stated that the Town averages receiving \$1.2 million each year, and after taking \$200,000 to \$300,000 out for new police cars next year, there should still be nearly \$900,000 left next year. She recommended proceeding with the engineering and the request for bid for the new Utilities building at this time, and perhaps beginning construction next December.

1 Commissioner Vincent asked if there will be any other uses for the penny sales tax that would be
2 more open to the public than the new Utilities building.

3
4 Ms. Kollgaard replied the penny sales tax was renewed for another 15 years after 2017. She
5 stated that staff is looking at replacing the Community Building in the future, which would be
6 another use for these funds. Ms. Kollgaard stated she would like to build the new Utilities
7 building without taking out a loan.

8
9 Commissioner Holden asked how much it is estimated to cost, and what the interest rate would
10 be on a loan.

11
12 Ms. Kollgaard replied that it is estimated to cost \$1.2 or \$1.3 million. She stated the auditor has
13 said that any costs for SCADA can come out of the impact fees. She stated the current interest
14 rate on the library loan is 4% (confirmed by the Finance Director).

15
16 Commissioner Hannan stated that a loan could be considered if necessary as the library would
17 not have been completed without obtaining a loan.

18
19 Ms. Kollgaard agreed that once the library loan is paid off, the Town will be in a much better
20 position if a new loan becomes necessary.

21
22 Commissioner Richards asked for more clarification on why the auditor stated that impact fees
23 cannot be used for the new Utilities building. He stated the building will be used to house
24 equipment the Town must maintain.

25
26 Ms. Kollgaard replied that the new Utilities building was originally in the master plan, but the
27 auditor stated that the Town's utilities have not expanded enough to warrant the new building,
28 and impact fees cannot be used to maintain.

29
30 Mr. Eagle agreed; stating that impact fees cannot be used for future expansion, only if there is a
31 deficit.

32
33 Commissioner Holden stated he would be in favor of going ahead with the new Utilities
34 building, and even take out a loan if necessary.

35
36 Ms. Kollgaard stated the Town may have funds available for construction by the time it is
37 needed.

38
39 Commissioner Vincent stated that construction bids are all going higher than expected lately.

40
41 Public Works Director C.T. Eagle stated that it depends on how long it takes as construction
42 costs are going up approximately 25% each year.

43
44 *It was the consensus of the Commission to move forward with the engineering and*
45 *preliminary bidding on the Utilities building.*

46
47 **c. Web Design Update**

48
49 Ms. Kollgaard reported that staff has been working on a new web site, but it is taking longer than
50 anticipated as it is more involved than first thought. Staff is looking at other web sites and trying

1 to incorporate the most information and user-friendly options. She stated that I.T. Director John
2 Pearl has suggested having the public use the new web site for a month and invite feedback on it.

3
4 Commissioner Richards asked if work orders will be able to be done from the new web site.

5
6 Mr. Pearl replied that the Town would have to purchase new software that would enable the
7 work order system to integrate with the web site.

8
9 Commissioner Hannan suggested that the Town should have an application created for use by
10 persons with a smart phone. He asked if Mr. Pearl could create an application easily.

11
12 Mr. Pearl replied that applications are not easy to create. He stated the Town's first priority
13 should be to have a quality web site with quality content and services.

14
15 Ms. Kollgaard agreed, stating that many people do not have smart or I-phones, but most have
16 computers.

17
18 **d. Software**

19
20 Ms. Kollgaard stated that the Town has been using its current HTE software for nearly 20 years.
21 She stated it is very outdated and staff has to go through many screens to complete processes
22 such as business tax receipts and permitting. This software does not allow downloading from the
23 web site, and it is not easy to pull up reports. She stated that HTE has done a lot of patching, but
24 it does not support JAVA, so I.T. has had to separate it for security reasons.

25
26 Ms. Kollgaard stated that over the next year, staff would like to look at what software other
27 municipalities are using, how long they have been using it, and if they are experiencing any
28 problems. The projected expense for changing software is \$350,000 to \$400,000.

29
30 Commissioner Richards asked if staff has any particular software in mind to look at.

31
32 Ms. Kollgaard replied that the City of Eustis has recently changed to Edmunds & Associates;
33 their contract cost was \$254,000, including five years of maintenance, and Eustis chose to add
34 another five years of maintenance to that for an additional \$160,000. She stated the department
35 heads will meet with the employees to find out what problems they are having with the current
36 software, and what they would like the new software to do. Ms. Kollgaard stated this will be a
37 major investment and not something staff will rush into.

38
39 **e. Additions/Changes to LDR's**

40
41 Ms. Kollgaard asked that the Commissioner think about any changes they would like made to the
42 Land Development Regulations over the next couple of months. They can be discussed at a
43 future Commission meeting so the changes can be made all at once as it is more cost effective.

44
45 Ms. Kollgaard stated tree stump removal is one concern that has been brought to her attention.
46 She stated that stump removal is required when a tree removal permit is issued, but that certain
47 tree removals do not require a permit and stumps are being left in some cases.

48
49 Commissioner Hannan commented there are many tree stumps left on lots in his area, and
50 wondered if property owners should be required to take down dead trees.

1
2 Mayor Kussard commented this could be costly for residents.

3
4 Commissioner Vincent commented that many trees being pulled up during construction in the
5 Water Oak community are being burned, creating a lot of smoke that is causing problems for
6 people with respiratory ailments in his area. He stated they are apparently meeting the county
7 regulations regarding burning, but he would like to see a no-burn regulation in residential areas.
8

9 Ms. Kollgaard stated she will discuss this with the Town Attorney and see if anything can be
10 done, as this is governed by forestry.

11
12 **f. Discussion of Tree Donations from Tree Bank**

13
14 Town Manager Kris Kollgaard stated that Commissioner Holden had previously suggested tree
15 donations to residents. She stated that she has discussed this with Mike Burske, Parks and
16 Recreation Director, and they have come up with the idea of giving out \$200 vouchers by
17 drawing names at the Arbor Day celebration in January. The Commission had agreed to a total
18 amount of \$5,000 to be spent on this, and it would result in 25 names being drawn for the \$200
19 vouchers. The vouchers would be from Burke's Nursery on CR 466A and the winners could
20 pick out what they want from Burke's and arrange for them to be planted. Ms. Kollgaard stated
21 that Burke's knows which trees are permissible to be planted in Lady Lake and would not sell
22 invasive species, etc.
23

24 *After discussion, it was the consensus of the Commission to hold a drawing of 25 names at the*
25 *January 2017 Arbor Day celebration for Lady Lake residents to receive \$200 vouchers from*
26 *Burke's Nursery.*

27
28 **4. ADJOURN:** There being no further discussion; the meeting was adjourned at 5:30 p.m.
29
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33 _____
34 Kristen Kollgaard, Town Clerk

35 _____
36 Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

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**MINUTES OF THE REGULAR MEETING
OF THE LADY LAKE TOWN COMMISSION
LADY LAKE, FLORIDA**

October 17, 2016

The regular meeting of the Lady Lake Town Commission was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Mayor Ruth Kussard presiding. The meeting convened at 6:00 p.m.

A. CALL TO ORDER: Mayor Ruth Kussard

B. PROCEDURE: *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*

C. INVOCATION: Reverend Dr. Paul Harsh – First Baptist Church of Lady Lake

D. PLEDGE OF ALLEGIANCE led by Joe Quinn

E. ROLL CALL: Tony Holden, Commissioner Ward 2
Paul Hannan, Commissioner Ward 4
Jim Richards, Commissioner Ward 5
Dan Vincent, Commissioner Ward 3
Ruth Kussard, Mayor/Commissioner Ward 1

STAFF MEMBERS PRESENT: Kris Kollgaard, Town Manager; Attorney Sasha Garcia; Thad Carroll, Growth Management Director; C. T. Eagle, Public Works Director; Mike Burske, Parks and Recreation Director; Chief Chris McKinstry, Police Department; Marsha Brinson, Library Director; Wendy Then, Town Planner; and Nancy Slaton, Deputy Town Clerk

F. PUBLIC COMMENTS: Mayor Kussard asked if there were any comments by the public.

- Phil Mathias of Lakes of Lady Lake asked why tents on campsites are being allowed in the community; whether it is something new in the codes, or if they are being changed.

Commissioner Holden stated that it was explained to him that grandchildren may not want to stay in the motorhome with grandparents, and so they pitch a tent outside of the motorhome. He stated he doubted it would become a campsite.

Commissioner Richards commented that the previous memorandum of agreement allowed tents.

- Mr. Mathias also questioned why Recreation Plantation has been allowed to let dirt from the cleared land next to Clay Avenue run down on the road without a silt fence.

Commissioner Richards stated it is not allowed; there should be a silt fence. He stated he believed there is a Special Magistrate case pending regarding Recreation Plantation clearing without a tree permit.

1
2 Growth Management Director Thad Carroll confirmed this and stated that Recreation Plantation is
3 soon to begin the site plan process and will get a development order.
4

5 **G. PRESENTATION:**
6

7 **1. Check Presentation to the Lady Lake Library by the American Legion #347 (Tom**
8 **Murphy)**
9

10 Commander Tim Tierney, accompanied by Vice Commander Al Verone, Adjutant Mike Siedel, and
11 Judge Advocate Tom Murphy of the American Legion Post #347, presented a check in the amount
12 of \$1,000.00 to the Lady Lake Library for their children’s reading program. The check was
13 presented to Library Director Marsha Brinson. The American Legion was applauded and thanked
14 for their donation.
15

16 **2. Plaque Presentation Regarding Florida Local Government Information Systems**
17 **Association’s (FLGISA) Recognition of the Town of Lady Lake’s 10 Year Membership**
18 **(Mayor Kussard/John Pearl)**
19

20 Mayor Kussard read the accompanying letter and presented the plaque from the Florida Local
21 Government Information Systems Association to I.T. Director John Pearl in recognition of the
22 Town’s ten-year membership with the association.
23

24 **H. CONSENT:**
25

26 Mayor Kussard asked if the Commissioners had any questions on the consent items. She asked that
27 the abatement items be pulled for discussion.
28

29 **3. Minutes – October 3, 2016 – Regular Commission Meeting**
30

31 *Upon a motion by Commissioner Richards and a second by Commissioner Holden, the*
32 *Commission approved Consent Item #H-3 by a vote of 5 to 0.*
33

34 **4. Consideration of Abatement Order Recommendation – 213 Morningside Ave. – Case**
35 **No. 14-4691 – Violation of the Town of Lady Lake Code of Ordinances Ch. 20-51 (a)(8)**
36 **Property Maintenance, Porches/Stairs; Ch. 20-20 (a)(1) Property Maintenance, Exterior**
37 **Maintenance; Ch. 20-19 (a)(1) & (2) Property Maintenance, General Maintenance; Ch. 20-20**
38 **(a)(6) Property Maintenance, Window/Door Maintenance; and Ch. 7-67 High Grass,**
39 **Garbage, Trash (Thad Carroll)**
40

41 Growth Management Director Thad Carroll gave the background summary for this agenda item (on
42 file in the Clerk’s office). He stated that this case was originally heard by the Special Magistrate on
43 November 19, 2014 for the violation of the Town of Lady Lake Code of Ordinances Ch. 20-51
44 (a)(8) – Property Maintenance, Porches/Stairs; Ch. 20-20 (a)(1) Property Maintenance, Exterior
45 Maintenance; Ch. 20-19 (a)(1) & (2) – Property Maintenance, General Maintenance; Ch. 20-20
46 (a)(6) – Property Maintenance, Window/Door Maintenance; and Ch. 7-67 – High Grass, Garbage,
47 Trash.
48

49 The Special Magistrate ordered compliance within ten days or a fine of \$250.00 per day would
50 begin to accrue, plus an \$87 administrative fee. The property remained non-compliant for a period
51 of 633 days, which resulted in the accrual of the lien to \$158,337.00 including the administrative

1 fee. The lien was recorded with the Lake County Clerk of the Circuit Court on December 9, 2014,
2 in ORB 4559, Pgs. 1581-1587. The assessed value is \$25,934.00 per the Tax Collector's Office.
3

4 Mr. Carroll reported that the property changed ownership two times during the duration of the lien
5 accrual and remained a blight to the community. On August 16, 2016, the property was purchased
6 by the new owner, Land Trust Service Corporation; Trust No. 213MA, represented by Henry and
7 Paula Kones. On August 23, 2016, one week after being purchased by the new owners, the property
8 was inspected and found to be in compliance. On this same date, the Town received a request from
9 Henry and Paula Kones to schedule an abatement hearing.
10

11 Mr. Carroll stated that at the September 27, 2016 Special Magistrate hearing, the new owners stated
12 that they promptly corrected the code violations as quickly as possible. Based on the violations not
13 being caused by the new owners and their rapid compliance, the petitioner, as well as the Special
14 Magistrate, feel that the fine of \$5,000 for the violation is not merited. They felt that this amount
15 could be better spent making the necessary repairs to the home.
16

17 Mr. Carroll stated that the Special Magistrate recommended a reduction to \$500.00 from the
18 accrued amount. He stated that staff's recommendation was a reduction of the lien to \$1,312.15
19 collectively based on the fact that there are two cases for this property; in conjunction with three
20 nuisance abatements due in the amount of \$2,375.70. Mr. Carroll stated the cost of the abatements
21 is non-negotiable; the lien reduction amount is up to the Commission.
22

23 Commissioner Hannan commented that he would be in favor of the Special Magistrate's
24 recommendation of \$500.00.
25

26 Commissioner Richards stated that he would rather go with staff's recommendation as the
27 Commission held a workshop and spent a lot of time figuring a formula to follow for lien reductions
28 based on property value, etc. He asked how staff came up with staff's recommendation for the lien
29 reduction.
30

31 Mr. Carroll replied that the \$1,312.15 amount recommended by staff is represented by the
32 \$5,000.00 or 25% of property value based on the policy the Commission approved at their
33 workshop.
34

35 Commissioner Holden and Commissioner Vincent both agreed with Commissioner Richards that
36 they would be in favor of staff's recommendation for the lien reduction.
37

38 Mayor Kussard agreed with Commission Hannan, stating she is in favor of the Special Magistrate's
39 recommendation of \$500.00 since the property owners had the property in compliance within a
40 week of their purchase. She stated they plan to improve the property even more, and she would
41 rather see that money go into the improvements.
42

43 *Commissioner Hannan made a motion to approve the Special Magistrate's recommendation to*
44 *reduce the lien amount to \$500.00. Mayor Kussard passed the gavel to Commissioner Richards*
45 *and seconded the motion. This motion failed by a vote of 2 to 3 (Holden, Vincent & Richards).*
46

47 The gavel was then passed back to Mayor Kussard.
48

49 *Upon a motion by Commissioner Richards and a second by Commissioner Holden, the*
50 *Commission approved staff's recommendation to reduce the lien amount to \$1,312.15, in*
51 *conjunction with three nuisance abatements due in the amount of \$2,375.70, by a vote of 3 to 2*
52 *(Hannan & Kussard).*

1
2 Mr. Carroll noted that Mr. and Mrs. Kones are in the audience and available to speak on the matter
3 if allowed.

4
5 Attorney Sasha Garcia noted that this matter has already been voted on.

6
7 **5. Consideration of Abatement Order Recommendation – 213 Morningside Ave. – Case**
8 **No. 12-3359– Violation of the Town of Lady Lake Code of Ordinances Ch. 20-51 (a)(8) –**
9 **Property Maintenance, Porches/Stairs; Ch. 20-20 (a)(1) Property Maintenance, Exterior**
10 **Maintenance; and Ch. 7-67 High Grass, Garbage, Trash (Thad Carroll)**

11
12 Growth Management Director Thad Carroll gave the background summary for this agenda item (on
13 file in the Clerk’s office). He stated that many of the violations in this case are duplicates of the
14 previous case. This case was originally heard by the Special Magistrate on February 27, 2012 for
15 the violation of Town of Lady Lake Code of Ordinances: Ch. 20-51 (a)(8) – Property Maintenance,
16 Porches/Stairs; Ch. 20-20 (a)(1) – Property Maintenance, Exterior Maintenance; and Ch. 7-67 –
17 High Grass, Garbage, Trash.

18
19 The Special Magistrate ordered compliance within ten days or a fine of \$100.00 per day would
20 begin to accrue, plus an \$87 administrative fee. The property remained non-compliant for a period
21 of 1,629 days, which resulted in the accrual of the lien to \$162,987.00 including the administrative
22 fee. The lien was recorded with the Lake County Clerk of the Circuit Court on April 9, 2012, in
23 ORB 4146, Pgs. 2200-2202. The assessed value is \$25,934.00 per the Tax Collector’s Office.

24
25 The property changed ownership two times during the duration of the lien accrual and remained a
26 blight to the community. On August 16, 2016, the property was purchased by the new owner, Land
27 Trust Service Corporation; Trust No. 213MA, represented by Henry and Paula Kones. On August
28 23, 2016, one week after being purchased by the new owners, the property was inspected and found
29 to be in compliance. On this same date, the Town received a request from Henry and Paula Kones
30 to schedule an abatement hearing.

31
32 Mr. Carroll reported that at the September 27, 2016 Special Magistrate hearing, the new owners
33 stated that they promptly corrected the code violations as quickly as possible. Based on the
34 violations not being caused by the new owners and their rapid compliance, the petitioners, as well
35 as the Special Magistrate, feel that the fine of \$5,000 for the violation is not merited. The Special
36 Magistrate is recommending a reduction to \$500.00 from the accrued amount. Mr. Carroll stated
37 that staff’s recommendation is for a lien reduction to \$1,312.15 (collectively \$5,000 for both cases
38 being heard today in conjunction with the three nuisance abatements totally \$2,375.70). He stated
39 that Town Commission reserves the right to approve, modify or deny either of the
40 recommendations.

41
42 Mr. Carroll stated Mr. and Mrs. Kones are present if the Commission has any questions for them or
43 if they choose to allow them to speak on the issue.

44
45 Mayor Kussard invited Mr. and Mrs. Kones to speak on this matter.

46
47 Paula Kones introduced herself and her husband Henry, and gave some background on what they do
48 regarding buying up properties like this. She stated they fix the properties up and then rent them out
49 through a property management firm that completes background credit and criminal checks on the
50 applicants. Ms. Kones stated they are willing to reimburse the Town for the money they spent on
51 the property during non-compliance, but requested that the Commission consider how quickly they

1 brought it into compliance and reduce the lien amount to \$500.00. She stated they are very willing
2 to work with the Town on this property and perhaps others as well.
3

4 Mr. Kones stated they purchased this distressed property for \$5,000.00, and owed \$1,000.00 in back
5 taxes to Lake County, along with the abatement amount of \$2,300.00. He stated they have mowed
6 and secured the property and are waiting to rehab it. He asked for a reduction in the lien fees so that
7 they would have the ability to immediately replace the siding on the house so it will look better for
8 the neighborhood. He stated they took the worst crack house in Clermont and turned it into the best
9 looking house on the street, and have had two young professionals as tenants in the home now for
10 six years. Mr. Kones stated that as The Villages continues to expand, housing is needed for young
11 people coming in to service The Villages. He asked for mercy so that they can continue to improve
12 the property value and increase the tax base of other properties such as this in the community.
13

14 *Commissioner Richards made a motion to approve staff's recommendation to reduce the lien*
15 *amount to \$1,312.15. This motion failed for lack of a second.*
16

17 *Upon a motion by Commissioner Hannan and a second by Commissioner Holden, the*
18 *Commission approved the Special Magistrate's recommendation to reduce the lien amount on*
19 *this case to \$500.00 by a vote of 4 to 1 (Richards).*
20

21 **6. Consideration of Abatement Order Recommendation – 614 Ray Street – Case No. 15-**
22 **5524 – Violation of the Town of Lady Lake Code of Ordinances Ch. 7-67 for High Grass,**
23 **Garbage, Trash (Thad Carroll)**
24

25 Growth Management Director Thad Carroll gave the background summary for this agenda item (on
26 file in the Clerk's office). He stated that this case was originally heard by the Special Magistrate on
27 August 27, 2015 for the violation of Town of Lady Lake Code of Ordinances Ch. 7-67 – High
28 Grass.
29

30 The Special Magistrate ordered compliance within ten days or a fine of \$50.00 per day would begin
31 to accrue, plus an \$87 administrative fee. The property remained non-compliant until August 4,
32 2016, for a period of 272 days, which resulted in the accrual of the lien to \$13,687.00 including the
33 administrative fee. The lien was recorded with the Lake County Clerk of the Circuit Court on April
34 13, 2016, BK 4765, Pgs. 2070-2073. The assessed value is \$38,586 per the Tax Collector's Office.
35

36 On August 22, 2016, the Town received a request from Branch Banking & Trust Company to
37 schedule an abatement hearing.
38

39 Mr. Carroll stated that at the September 27, 2016 Special Magistrate hearing, the property owner
40 stated that the issue was not purposely ignored, but instead, compliance was compromised due to an
41 error in the routing of the notifications to the proper personnel within their organization. The
42 violation was not deemed to be a health, safety, welfare concern; therefore, the petitioner as well as
43 the Special Magistrate, feel that the fine of \$5,000 for the violation is not merited.
44

45 Mr. Carroll reported that the Special Magistrate has recommended a reduction to \$2,500 from the
46 accrued amount. He stated staff's initial recommendation for the lien reduction was \$5,000,
47 although the Commission reserves the right to approve, modify or deny either recommendation. He
48 stated that a representative of Branch Banking and Trust is present.
49

50 Ms. Susan Vivelli stated she is the realtor representing Branch Banking and Trust, and that the code
51 violation was cured. She stated that although the assessed value of the property is \$38,000.00, it is

1 under contract for much less because there are other issues with the property. She stated the
2 Commission's consideration would be appreciated.

3
4 *Upon a motion by Commissioner Hannan and a second by Commissioner Holden, the*
5 *Commission approved staff's recommendation to reduce the lien amount to \$5,000.00 by a vote of*
6 *5 to 0.*

7
8 **I. OLD BUSINESS:** No old business.

9
10 **J. NEW BUSINESS:**

11
12 **7. Consideration of Approval for the Lady Lake Relay for Life 2017 to be Held at the**
13 **Rolling Acres Sports Complex on March 25, 2017 (Mike Burske)**

14
15 Parks and Recreation Director Mike Burske gave the background summary for this agenda item (on
16 file in the Clerk's Office). He stated that a few years back, the Lady Lake Relay for Life was
17 dissolved into the Leesburg Relay for Life along with a few of the other smaller events. And it
18 appears, as indicated by the e-mail from Mary Shaner, that the American Cancer Society would like
19 to see it back in Lady Lake. Mr. Burske stated the projected hours are from 10:00 a.m. to 9:00 p.m.,
20 and this is much shorter than the previous all night event where Town staff was on property for
21 approximately 24 hours. He stated the Lady Lake event may have been one of the smaller Relays,
22 but on average, it raised around \$25,000.00 per year for the American Cancer Society.

23
24 Mr. Burske stated Heather Curry from the Board for Relay for Life is present to answer any
25 questions.

26
27 *Upon a motion by Commissioner Holden and a second by Commissioner Hannan, the*
28 *Commission approved to allow the Lady Lake Relay for Life 2017 to be held at the Rolling Acres*
29 *Sports Complex on March 25, 2017, by a vote of 5 to 0.*

30
31 **8. Consideration and Approval to Pay-off the Library Loan (Pam Winegardner)**

32
33 Finance Director Pam Winegardner gave the background summary for this agenda item (on file in
34 the Clerk's office). She stated that the Town will have approximately \$1,379,861 of Infrastructure
35 Surtax in reserves on October 31, 2016, of which \$1,348,831.10 would be used; leaving a balance
36 of approximately \$31,030 in reserves. Ms. Winegardner stated that if this amount is used to pay off
37 this loan, the next Infrastructure Surtax revenue received by the Town will be in November of 2016
38 and each month thereafter, in an amount averaging \$108,500 per month.

39
40 *Upon a motion by Commissioner Richards and a second by Commissioner Holden, the*
41 *Commission approved paying off the library loan in the amount of \$1,348,831.10 on or about*
42 *October 31, 2016 utilizing Infrastructure Surtax reserves, by a vote of 5 to 0.*

43
44 **K. TOWN ATTORNEY'S REPORT:**

45
46 **9. Ordinance No. 2016-25 – Second/Final Reading – Annexation – The Villages of Lake-**
47 **Sumter, Inc. – Approximately 0.64+/- Acres of Property Referenced by Alternate Keys**
48 **2594179, 2575042, 2787104, 2706236, and 2722029; Five Lots Located Within Orange Blossom**
49 **Gardens Units 3-1. B and 4, Lake County, Florida (Thad Carroll)**

50
51 Attorney Sasha Garcia read the ordinance by title only.

1 Growth Management Director Thad Carroll gave the background summary for this agenda item (on
2 file in the Clerk's office). He stated that the applicant, Martin L. Dzuro, on behalf of The Villages
3 of Lake-Sumter, Inc., has filed applications to annex properties consisting of five lots located within
4 Orange Blossom Gardens Units 3-1.B and 4. The annexation application involves 0.64 +/- acres of
5 property from unincorporated Lake County into the Town of Lady Lake. The five lots include the
6 following addresses:

- 7
- 8 • 803 Maple Lane
- 9 • 852 Silver Oak Avenue
- 10 • 812 Beechwood Avenue
- 11 • 810 Beechwood Avenue
- 12 • 943 Tarrson Boulevard
- 13

14 The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County,
15 Florida. Appropriate legal descriptions, a location map, and a sketch of each property has been
16 included with the submitted application. All lots will be served by the Village Center Community
17 Development District Central Water and Sewer System, as well as the District's Fire Department.

18
19 In accordance with the provisions of Florida Statute 171.205, and the Interlocal Service Boundary
20 Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake,
21 Florida, the Town may annex property into the Town which are non-contiguous to the existing
22 municipal boundary. The proposed properties under this application exist as both contiguous and
23 non-contiguous lots.

24
25 A map of the area was shown, as were surveys of each lot, an aerial view of the area delineating the
26 parcels, and photos of the posting of each property.

27
28 The annexation application was received on Monday, July 25, 2016, and has been reviewed and
29 determined to be complete, satisfying the necessary criteria as required for annexation under
30 statutory requirements. The application was found to meet the requirements of the Land
31 Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for
32 transmittal to the Town Commission.

33
34 Mr. Carroll reported that notices to inform the surrounding property owners (89) within 150 feet of
35 the properties proposed by annexation request were mailed Monday, August 1, 2016. The
36 properties were posted Thursday, August 4, 2016. There have been no objections or letters of
37 support received to date.

38
39 Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the
40 application for Ordinance No. 2016-25, and determined the application to be complete and ready for
41 transmittal to the Planning and Zoning Board. At the September 12, 2016 meeting, the Planning
42 and Zoning Board voted 4-0 to forward Ordinance No. 2016-25 to the Town Commission with the
43 recommendation of approval. At the October 3, 2016 meeting, the Town Commission voted 5-0 to
44 approve Ordinance No. 2016-25 upon first reading.

45
46 Mr. Carroll stated that Martin Dzuro is present to answer any question.

47
48 Mayor Kussard asked if the Commissioners or members of the audience had any questions or
49 comments, and hearing none, asked for a motion.

1 Upon a motion by Commissioner Holden and seconded by Commissioner Hannan, the
2 Commission approved the second/final reading of Ordinance No. 2016-25, by the following roll
3 call vote:

4	HOLDEN	YES
5	HANNAN	YES
6	RICHARDS	YES
7	VINCENT	YES
8	KUSSARD	YES

9
10 **10. Ordinance No. 2016-26 – Second/Final Reading – Small Scale Future Land Use**
11 **Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – Change from Lake**
12 **County Medium Urban Density to Lady Lake Manufactured Home High Density –**
13 **Approximately 0.64+/- Acres of Property Referenced by Alternate Keys 2594179, 2575042,**
14 **2787104, 2706236, and 2722029; Five Lots Located Within Orange Blossom Gardens Units 3-**
15 **1. B and 4, Lake County, Florida (Thad Carroll)**

16
17 Attorney Sasha Garcia read the ordinance by title only.

18
19 Growth Management Director Thad Carroll gave the background summary for this agenda item (on
20 file in the Clerk’s office). He stated that the applicant, Martin L. Dzuro, on behalf of The Villages
21 of Lake-Sumter, Inc., has filed applications to amend the future land use comprehensive plan for
22 properties consisting of five lots located within Orange Blossom Gardens Units 3-1.B and 4, from
23 Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. The
24 application involves 0.64 +/- acres of property from unincorporated Lake County into the Town of
25 Lady Lake. The proposed properties are as follows:

- 26
- 27 • 803 Maple Lane
- 28 • 852 Silver Oak Avenue
- 29 • 812 Beechwood Avenue
- 30 • 810 Beechwood Avenue
- 31 • 943 Tarrson Boulevard
- 32

33 The Small Scale Future Land Use Map Amendment application was received on Monday, July 25,
34 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as
35 required to meet the requirements of the Land Development Regulations (LDRs) as well as the
36 adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

37
38 Concurrency Determination Statement - A Concurrency Determination Statement has also been
39 included as part of the Small Scale Comprehensive Plan Amendment Application, which the
40 applicant submitted to explain expected impacts on Town Services. The Villages has removed
41 existing manufactured homes on five lots in a section of The Villages known as Orange Blossom
42 Gardens to construct a similar size conventional built home on each lot. There will be no increase
43 in utility services, traffic, population, or recreation use.

44
45 Mr. Carroll noted there will be no impact on Town services as shown below:

46
47 Potable Water – No impact, lots are served by the Village Center Community Development District
48 Central Water System.

49
50 Sewer – No impact, lots are served by the Village Center Community Development District Central
51 Sewer System.

1 Schools – Not factored for project – no foreseen impact of students as the project is located within
 2 an active adult retirement community.

3
 4 Transportation – No impact, the existing home will be replaced with a new home. There will be no
 5 change in average daily trip generation.

6
 7 Parks & Recreation – The small scale future land use amendment will not cause P&R Level of
 8 Service to be exceeded since the project is for the replacement of existing homes. Additionally, the
 9 Villages provides its residents with all Park and Recreation Amenities.

10
 11 Stormwater – Project will be required to adhere to SJRWMD guidelines and of Town of Lady Lake
 12 Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

13
 14 A map of the property, adjacent properties, and the future land use map was shown.

15
 16 The subject properties involve approximately 0.64 ± acres lie in Section 06, Township 18 South,
 17 Range 24 East in Lake County, Florida. The Future Land Use of the adjacent properties is as
 18 follows:

19 **Future Land Use**

Subject Properties	Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density
East	Lake County – Medium Urban Density/ Lady Lake Manufactured Home High Density
North	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density
South	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density

20
 21 Comments:

- 22
 23 1) Annexation and Rezoning Applications have been submitted concurrently with this Small Scale
 24 Future Land Use Amendment Application.
 25
 26 2) In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A).,
 27 executed on June 23, 2015, if the Villages has applied for annexation, then the Town can issue
 28 building permits located within the unincorporated area.
 29
 30 3) Project will be required to adhere to St. John’s River Water Management District guidelines and
 31 the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood
 32 Hazard Areas.
 33

34 Mr. Carroll reported that notices to inform the surrounding property owners (89) within 150 feet of
 35 the properties proposed by annexation request were mailed Monday, August 1, 2016. The
 36 properties were posted Thursday, August 4, 2016. There have been no objections or letters of
 37 support received to date.
 38

39 Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the
 40 application for Ordinance No. 2016-26, and determined the application to be complete and ready for
 41 transmittal to the Planning and Zoning Board. At the September 12, 2016 meeting, the Planning

1 and Zoning Board voted 4-0 to forward Ordinance No. 2016-26 to the Town Commission with the
2 recommendation of approval. The Local Planning Agency voted 5-0 for approval of Ordinance No.
3 2016-26 at the October 3, 2016 regular meeting, as did the Town Commission voted 5-0 upon first
4 reading.

5
6 Mr. Carroll stated that Martin Dzuro is present to answer any question.

7
8 Mayor Kussard asked if the Commissioners or members of the audience had any questions or
9 comments, and hearing none, asked for a motion.

10
11 *Upon a motion by Commissioner Richards and seconded by Commissioner Vincent, the*
12 *Commission approved the second/final reading of Ordinance No. 2016-26, by the following roll*
13 *call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

14
15
16
17
18
19
20 **11. Ordinance No. 2016-27 – Second/Final Reading – Rezoning – The Villages of Lake-**
21 **Sumter, Inc. – From Lake County Residential Medium (RM) to Lady Lake Mixed Residential**
22 **Medium Density (MX-8) – Approximately 0.64+/- Acres of Property Referenced by Alternate**
23 **Keys 2594179, 2575042, 2787104, 2706236, and 2722029; Five Lots Located Within Orange**
24 **Blossom Gardens Units 3-1. B and 4, Lake County, Florida (Thad Carroll)**

25
26 Attorney Sasha Garcia read the ordinance by title only.

27
28 Growth Management Director Thad Carroll gave the background summary for this agenda item (on
29 file in the Clerk’s office). He stated that the applicant, Martin L. Dzuro, on behalf of The Villages
30 of Lake-Sumter, Inc., has filed an application to rezone properties consisting of five lots located
31 within Orange Blossom Gardens Units 3-1.B and 4. The application involves rezoning 0.64 +/-
32 acres of property from Lake County Residential Medium (RM) to Lady Lake Mixed Residential
33 Medium Density (MX-8). The MX-8 designation is consistent with the other lots in The Villages
34 which are presently in the Town of Lady Lake’s jurisdiction. The proposed properties are as
35 follows:

- 36
37
 - 803 Maple Lane
 - 852 Silver Oak Avenue
 - 812 Beechwood Avenue
 - 810 Beechwood Avenue
 - 943 Tarrson Boulevard

38
39
40
41
42
43 The Rezoning application was received on Monday, July 25, 2016, and has been reviewed and
44 determined to be complete, satisfying the necessary criteria as required to meet the requirements of
45 the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is
46 ready for transmittal to the Town Commission.

47
48 A map of the subject properties and a map showing the zoning of the area was shown.

49
50 The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County,
51 Florida. Appropriate legal descriptions and survey information have been included with the

submitted application. The zoning designation of the subject properties and adjacent properties are as follows:

Zoning

Subject Property	Lake County Residential Medium (RM)
Zoning of Adjacent Properties	
West	Lake County Residential Medium (RM)/ Lady Lake Mixed Residential Medium Density (MX-8)
East	Lake County Residential Medium (RM)/ Lady Lake Mixed Residential Medium Density (MX-8)
North	Lake County Residential Medium (RM) /Lady Lake Mixed Residential Medium Density (MX-8)
South	Lake County Residential Medium (RM)/ Lady Lake Mixed Residential Medium Density (MX-8)

Mr. Carroll reported that notices to inform the surrounding property owners (89) within 150 feet of the properties proposed by annexation request were mailed Monday, August 1, 2016. The properties were posted Thursday, August 4, 2016. There have been no objections or letters of support received to date.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-27, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the September 12, 2016 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2016-27 to the Town Commission with the recommendation of approval. At the October 3, 2016 meeting, the Town Commission voted 5-0 for approval of Ordinance No. 2016-27 upon first reading.

Mr. Carroll stated that Martin Dzuro is present to answer any question.

Mayor Kussard asked if the Commissioners or members of the audience had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Holden and seconded by Commissioner Hannan, the Commission approved the second/final reading of Ordinance No. 2016-27, by the following roll call vote:

HOLDEN	YES
HANNAN	YES
RICHARDS	YES
VINCENT	YES
KUSSARD	YES

L. TOWN MANAGER’S REPORT:

Town Manager Kris Kollgaard reported that the Town will host a meet and greet on October 27, 2016 from 9:30 a.m. to 11:00 a.m. in the Commission Chambers to allow contractors to meet with the staff of M.T. Causley, Inc., who are now providing the Town’s building official services. She stated an agenda will be sent out in case any Commissioners want to attend.

Ms. Kollgaard reminded the Commissioners that she will be in Weston, Florida on October 25th and 26th, along with Mayor Kussard, Commissioner Hannan, and Chief McKinstry, to accept the accreditation for the Police Department.

1 Ms. Kollgaard stated she met with John Melinda, Lake County Deputy Director for Public Safety,
2 regarding their request to put the Town of Lady Lake’s logo on the fire truck servicing Lady Lake.
3 It is part of an outreach program to let people know it is the fire truck that services the area. She
4 stated she is in favor of it, and the Commissioners confirmed they are as well.
5

6 Ms. Kollgaard reported that the Lake County League of Cities is preparing a resolution in support of
7 the Safe Cities and Safe Florida initiative at the request of the Florida League of Cities. She stated
8 this resolution states the county is committed to sharing knowledge and will complete training to
9 deal with current issues such as shooter awareness.
10

11 **M. MAYOR/COMMISSIONER’S REPORT:**

12
13 Mayor Kussard commended the Town for its readiness during the past hurricane; in particular, the
14 Public Works Department for their fast and efficient response in removing a tree that fell across the
15 road in her neighborhood.
16

17 Mayor Kussard reminded everyone that the Not Too Scary Halloween party is scheduled for this
18 Saturday, October 22nd, from 6:00 p.m. to 8:00 p.m. at the Guava Street Sports Complex.
19

20 **N. PUBLIC COMMENTS¹**

21
22 Mayor Kussard asked if there were any further questions or comments.
23

- 24 - Phil Mathias of Lakes of Lady Lake asked if the Town does a proclamation in support of the
25 Town’s fine Police Department. He stated they do an outstanding job.
26

27 Town Manager Kris Kollgaard replied that there is a proclamation for Law Enforcement Month.
28

29 **O. ADJOURN:** The meeting was adjourned at 6:44 p.m.
30
31
32

33 _____
34 Kristen Kollgaard, Town Clerk

35 _____
36 Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

¹ *This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*



H-5

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE:

November 7, 2016

SUBJECT: Consideration of approval to renew the Child Protection Investigations Project, Memorandum of Understanding (MOU) with the Haven of Lake & Sumter Counties, Inc.

DEPARTMENT: POLICE

STAFF RECOMMENDED MOTION: Approval to renew the Child Protection Investigations Project, Memorandum of Understanding (MOU) with the Haven of Lake & Sumter Counties, Inc.

SUMMARY: Renewal of the existing Child Protection Investigations Project, Memorandum of Understanding with the Haven of Lake & Sumter Counties, Inc. which was approved by the Town Commission on November 3, 2014. There are no changes to the original MOU. Town Attorney Derek Schroth reviewed and approved the original MOU.

FISCAL IMPACT: 0

- Capital Budget
- Operating
- Other

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other

Support Documents – Memorandum of Understanding

DEPARTMENT HEAD Submitted *C. C. C.* Date 10/19/2016

HR Approved as to Form Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

TOWN MANAGER *[Signature]* Approved Agenda Item for: 11/7/16 Date 10/24/16

COMMISSION ACTION:

- Approved as Recommended Disapproved Tabled Indefinitely
- Continued to Date Certain Approved with Modification

[Signature]
Reviewed

CHILD PROTECTION INVESTIGATIONS PROJECT: MEMORANDUM OF UNDERSTANDING

The purpose of this Memorandum of Understanding is to coordinate services of the Lady Lake Police Department and Haven of Lake & Sumter Counties, Inc through partnership and collaboration. By participating in this agreement, all partners are expressing their commitment to work as equals within their own unique roles to accomplish their mission, while understanding that addressing the overall problem of domestic violence and child abuse requires a respectful, shared response.

I. DEFINITION: The Child Protection Investigations Project is for the purpose of increasing the resources, services, and advocacy available to survivors of domestic violence that have an open child abuse investigation, diversion case or are involved in the dependence process and are the non-offending parent. The project year will be from July1, 2016 to June 30, 2017.

II. DESCRIPTION OF PARTNERS

Haven of Lake & Sumter Counties, Inc. (Haven) is the certified provider of comprehensive services to adult survivors of domestic violence and their children in Lake & Sumter Counties. Haven's mission is to provide unduplicated services to victims of domestic violence and sexual assault.

Lady Lake Police Department represents the state of Florida in criminal prosecutions and lawsuits in the Town of Lady Lake.

III. HISTORY OF RELATIONSHIP

Haven and **LADY LAKE POLICE DEPARTMENT** have demonstrated a history of successful collaborations since 1977.

IV. ROLES AND RESPONSIBILITIES

Haven and **LADY LAKE POLICE DEPARTMENT** will work together in the CPI Domestic Violence Child Welfare Project as indicated:

1. Leadership from Lady Lake Police Department and Haven of Lake and Sumter Counties will meet initially to develop protocols for screening, serving, and referring cases involving domestic violence. Lady Lake Police Department and Haven of Lake and Sumter Counties will ensure that the appropriate supervisors also attend the meeting(s) to establish communication procedures and guarantee consistent messaging with all staff involved with the project.
2. Leadership from Lady Lake Police Department and Haven of Lake and Sumter Counties will meet, on a quarterly basis along with other community partners to enhance adult and child survivor safety, increase perpetrator accountability, discuss and resolve barriers to collaboration, and develop strategies to resolve emerging issues that arise in the CPI Project. The Leadership Team members will assist in developing the project's mission and vision statements.

3. When possible, or in response to a critical need, Lady Lake Police Department will participate in CPI Project monthly meetings to discuss successes; address barriers to collaboration; and develop strategies to resolve emerging issues throughout the project period.
4. Haven and Lady Lake Police Department will invite and encourage local representatives from other agencies to attend the monthly meetings to broaden the participation in the effort to address the co—occurrence of domestic violence and child abuse. Upon request, Haven will conduct trainings on issues related to addressing the co-occurrence of domestic violence and child abuse, understanding batterer behavior, safety planning, and importance of services for staff members of Lady Lake Police Department.
5. Haven Domestic Violence Child Welfare advocate will provide support and referral services for survivors of domestic violence and their children. Haven will offer a range of direct services to the survivor and the children upon referral including options such as emergency shelter, outreach counseling, advocacy including with Lady Lake Police Department and other types of services as available and determined by the survivor.
6. Haven will share information regarding survivors of domestic violence as permitted by and in compliance with Florida confidentiality and privilege laws as outlined in Florida Statutes sections 39.908; 90.5035 and 90.5036, and the Federal Violence Against Women Act of 2005. The center agrees to inform the parent whenever Lady Lake Police Department requests information. However, communication between Haven and Lady Lake Police Department and Haven of Lake and Sumter Counties relating to a parent's confidential information is at the discretion of and with the informed, reasonably time-limited written consent of the parent.
7. Haven and Lady Lake Police Department will ensure all information released to community partners adheres to all applicable Florida and federal confidentiality and privilege laws, and any protocols agreed to by Lady Lake Police Department and Haven of Lake and Sumter Counties addressing information sharing and cooperation in domestic violence prevention and investigation.
- ~~8.~~ Lady Lake Police Department will support the efforts of the child welfare agencies and the Domestic Violence Center to provide protection to the child and adult victims of abuse by enforcing all laws pertaining to child abuse and neglect and domestic violence and through the enforcement of court orders established by the injunctive process. In addition, Lady Lake Police Department will assume a leadership role with holding the perpetrator accountable through methods including, but not limited to: all legal enforcement activity and current criminal investigative strategies relating to domestic violence and child abuse incidents. Whenever legally possible, enhanced charges shall be utilized. Lady Lake Police Department will provide victims with information Haven of Lake and Sumter Counties and connect them with the local 24 hour domestic violence hotline or the Florida Domestic Violence Hotline if the victim would like to speak with a domestic violence advocate.

V. COMMITMENT

By signing this Memorandum of Understanding, the project partners acknowledge their commitment to achieve the stated purpose of the project. It is further agreed that this MOU can be amended at any time upon consent of all. This agreement will renew automatically for a period of three years from the date of signing, unless terminated by either party.

As indicated by my signature, I have read and agree with the Memorandum of Understanding.

Kelly Smallridge, Executive Director
Haven of Lake & Sumter Counties, Inc

Date

Chris McKinstry, Police Chief
Lady Lake Police Department

Date



H-6

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: November 7, 2016

SUBJECT: Consideration to Accept and Sign the Local Agency Program Supplement Agreement from F.D.O.T. District 5 for the Construction Phase Local Agency Program (LAP)-Villages Elementary, Safe Routes to School FPN: 433200-1-58/68-01

DEPARTMENT: Parks and Recreation

STAFF RECOMMENDED MOTION: Approval to Accept and Sign the Local Agency Program Supplement Agreement from F.D.O.T. District 5 for the Construction Phase Local Agency Program (LAP)-Villages Elementary, Safe Routes to School FPN: 433200-1-58/68-01

SUMMARY: The original estimated and funded amount for the construction of this project was \$296,798.00, with \$45,845.00 for C.E.I. for Neel Schaffer. We were able to negotiate a price of \$45,000.00 from Neel-Schaffer and this has been adjusted in their contract. Our lowest competent bid was \$344,700.00, which left a gap in funding of \$47,902.00. F.D.O.T. has agreed to pay \$46,902.00 and the Town will pay the difference of \$1,000.00. Please keep in mind that we would be required to pay for any change orders on this project.

FISCAL IMPACT: \$388,700.00 - no match grant funding by F.D.O.T.

\$ 1,000.00 - paid by Town

\$389,700.00 - Total

[] Capital Budget

[X] Operating - #001-7201-572.46-20

[X] Other (grant)

ATTACHMENTS: [] Ordinance [] Resolution [] Budget Resolution

[] Other [X] Support Documents (LAP Agreement)

Handwritten initials

DEPARTMENT HEAD *msb* Submitted *10/31/16* Date *11/07/16*

HR Approved as to Form Date

FINANCE DEPARTMENT *paus* Approved as to Budget Requirements Date *10/31/16*

TOWN MANAGER *(Signature)* Approved Agenda Item for: *10/31/16* Date *10/31/16*

COMMISSION ACTION:

[] Approved as Recommended [] Disapproved [] Tabled Indefinitely

[] Continued to Date Certain [] Approved with Modification

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT	FPN 433200-1-58/68-01 CONTRACT NO. G0A27
--	---	---

The Florida Department of Transportation and the Town of Lady Lake desires to supplement the original Agreement entered into and executed on April 27, 2016 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

PROJECT DESCRIPTION

Name Construction of the Village Elementary School Sidewalks at CR 25 (2 locations) Length ~ 0.789 miles

Termini see termini below

Description of Work:

The project scope includes the addition of sidewalk along Oak Street from Clay Avenue to CR 25, and along CR 25 from Oak Street to Fennel Boulevard. The project length in total is approximately 0.789 miles. A midblock crossing will be constructed on Oak Street, approximately 400 feet west of CR 25, where the sidewalk switches from the south side to the north side of Oak Street. The midblock crossing will include signing, rectangular rapid flashing beacons, and pavement markings. All crosswalks, sidewalks, pedestrian ramps and existing driveway turnouts along the new sidewalk will also be reconstructed to meet current ADA requirements.

The addition of sidewalk will require minor drainage structure replacements, and side slope and ditch re-grading. The project will also include mobilization, maintenance of traffic (MOT), erosion control, handrail, guardrail replacement, utility adjustments, mailbox adjustments, and clearing and grubbing.

Reason for Supplement and supporting engineering and/or cost analysis:

1. The amount of **\$46,902.00** (federal funds) and **\$1,000** (local funds) are being added to the Construction phase 58 based on the contract award amount of **\$344,700.00**. In addition, **\$845.00** (local funds) are being removed from the Construction Engineering and Inspection (CEI) phase 68 based on the contract award amount of **\$45,000.00**. Said revisions are reflected in the Schedule of Funding, attached hereto and incorporated herein, as Adjusted Exhibit "B".
2. The amount of federal funding noted within Exhibit "1", Federal Financial Assistance (Single Audit Act), attached to this Amendment, has been updated accordingly.

ADJUSTED EXHIBIT B SCHEDULE OF FUNDING

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT	FPN 433200-1-58/68-01 CONTRACT NO. G0A27
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TYPE OF WORK By Fiscal Year	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
Planning					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total Planning Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Project Development & Environment (PD&E)					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total PD&E Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Design					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total Design Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Right-of-Way					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total Right-of-Way Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction					
FY: 2015-2016	\$296,798.00	\$0.00	\$296,798.00	\$0.00	\$296,798.00
FY: 2016-2017	\$0.00	\$47,902.00	\$47,902.00	\$1,000.00	\$46,902.00
FY: _____					
FY: _____					
FY: _____					
Total Construction Cost	\$296,798.00	\$47,902.00	\$344,700.00	\$1,000.00	\$343,700.00
Construction Engineering and Inspection (CEI)					
FY: 2015-2016	\$45,845.00	(\$845.00)	\$45,000.00		\$45,000.00
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total CEI Cost	\$45,845.00	(\$845.00)	\$45,000.00	\$0.00	\$45,000.00
Total Construction & CEI Costs	\$342,643.00	\$47,057.00	\$389,700.00	\$1,000.00	\$388,700.00
TOTAL COST OF THE PROJECT	\$342,643.00	\$47,057.00	\$389,700.00	\$1,000.00	\$388,700.00

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT	FPN 433200-1-58/68-01 CONTRACT NO. G0A27
--	---	---

IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY TOWN OF LADY LAKE

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By: _____
Name:
Title:

By: _____
Name: Frank J. O'Dea, P.E.
Title: Director of Transportation Development

Attest: _____
Name:
Title:

Attest: _____
Name:
Title: Executive Secretary

Date: _____

Date: _____

Legal Review:

See attached Encumbrance Form for date of funding approval by Comptroller.

EXHIBIT 1

FEDERAL FINANCIAL ASSISTANCE (SINGLE AUDIT ACT)

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE AS FOLLOWS:

CFDA No.: 20.205
CFDA Title: Highway Planning and Construction
Federal-Aid Highway Program, Federal Lands Highway Program
CFDA Program Site: <https://www.cfda.gov/>
Award Amount: \$388,700.00
Awarding Agency: Florida Department of Transportation
Award is for R&D: No
Indirect Cost Rate: N/A

FEDERAL RESOURCES AWARDED TO THE RECIPIENT PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles & Audit Requirements for Federal Awards
<http://www.ecfr.gov/>

OMB Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*
http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf

OMB Circular A-133 Compliance Supplement 2014
http://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2014

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT MAY ALSO BE SUBJECT TO THE FOLLOWING:

OMB Circular A-87 (Revised), *Cost Principles for State, Local and Indian Tribal Governments*
http://www.whitehouse.gov/omb/circulars_a087_2004/

OMB Circular A-102, *Grants and Cooperative Agreements with State and Local Governments*
http://www.whitehouse.gov/omb/circulars_a102/

Title 23 – Highways, United States Code
<http://uscode.house.gov/browse/prelim@title23&edition=prelim>

Title 49 – Transportation, United States Code
<http://uscode.house.gov/browse/prelim@title49&edition=prelim>

Map-21 – Moving Ahead for Progress in the 21st Century, Public Law 112-141
<http://www.gpo.gov/fdsys/pkg/PLAW-112publ141/pdf/PLAW-112publ141.pdf>

Federal Highway Administration – Florida Division
<http://www.fhwa.dot.gov/fldiv/>

Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS)
<https://www.fsrc.gov/>



PS
H-7

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: November 7th, 2016

SUBJECT: Consideration of Revised Wastewater Treatment Plant Reservation and Bulk Treatment Agreement with the City of Fruitland Park.

DEPARTMENT: PW - Utilities

STAFF RECOMMENDED MOTION: Approve the revised Wastewater Bulk Treatment Agreement with the City of Fruitland Park.

SUMMARY: Town Commission has previously approved the Wastewater Bulk Treatment Agreement with the City of Fruitland Park. During the design phase of the project, the engineers for the City of Fruitland Park suggested relocating the proposed point of connection with the Town from the existing lift station on US 27/441 to the Headworks Structure at the Town's Wastewater Treatment Plant. The revision will reduce the costs associated with the project as well as minimize impact on the existing distribution system by discharging directly into the main intake at the WWTP. The proposed revision does not affect any other terms or conditions of the existing agreement, only the point of connection to the Town's system. Staff supports the proposed revisions. The agreement has been previously reviewed and approved by the Town Attorney.

FISCAL IMPACT: None Capital Budget
 Operating
 Other -

ATTACHMENTS: Ordinance Resolution Budget Resolution
 Other
 Support Documents - Revised Wastewater Treatment Agreement with City of Fruitland Park

DEPARTMENT HEAD Submitted  Date: 10/24/2016

HR Approved as to Form Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

TOWN MANAGER  Approved Agenda Item for: 11-7-16 Date 10-27-16

COMMISSION ACTION:

- Approved as Recommended
- Disapproved
- Tabled Indefinitely
- Continued to Date Certain
- Approved with Modification



506 W. Berckman Street
Fruitland Park, Florida 34731

Tel. (352) 360-6727
Fax. (352) 360-6686

CERTIFIED MAIL: 7015 0640 0005 1738 7451

October 17, 2016

Received
OCT 19 2016
Town of Lady Lake
Town Manager's Office

Ms. Kristen Kollgaard
Town Manager
Town of Lady Lake
409 Fennell Boulevard
Lady Lake FL 32159

Dear Ms. Kollgaard:

**RE: RESOLUTION 2016-044 – AMENDED AND RESTATED – WWTP CAPACITY
RESERVATION AND BULK TREATMENT AGREEMENT**

The City of Fruitland Park Commission, at its October 13, 2016 regular meeting adopted Resolution 2016-044 adopted the amended and restated wastewater treatment plant capacity reservation and bulk treatment agreement with the Town of Lady Lake. Said agreement has been duly executed and three copies are attached with this letter.

Upon approval by the town commission, please return one signed copy marked for the city clerk's attention. Thank you.

Yours sincerely

Esther Coulson, City Clerk

Encs

cc: Gary La Venia, City Manager
Anita Geraci-Carver, City Attorney
Dale Bogle, Public Works Director

RESOLUTION 2016-044

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE AMENDED AND RESTATED TO WASTEWATER TREATMENT PLANT CAPACITY RESERVATION AND BULK TREATMENT AGREEMENT BETWEEN THE CITY OF FRUITLAND PARK, FLORIDA AND THE TOWN OF LADY LAKE, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park entered into that certain Wastewater Treatment Plant Capacity Reservation and Bulk Treatment Agreement with the Town of Lady Lake which in part provided for connection to the Town's lift station; and

WHEREAS, it was necessary to amend the Agreement because the City will no longer connect to the Town's lift station, but rather will connect to the Headworks at the Town's wastewater treatment plant, and additionally, it is beneficial for the Agreement to specifically list the Town roadways where the City's force main will be installed; and

WHEREAS, on September 8, 2016 the City Commission of the City of Fruitland Park, Florida approved the Agreement; however, the Town of Lady Lake requested an additional change, specifically to delete "Maintenance and repair or replacement costs from City to Town's wastewater plant will be Town's responsibility."

WHEREAS, the City Commission of the City of Fruitland Park, Florida finds the agreement is beneficial to the City of Fruitland Park and its residents; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida desires to adopt the Amended and Restated Wastewater Treatment Plant Capacity Reservation and Bulk Treatment Agreement with the Town of Lady Lake.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Amended and Restated Wastewater Treatment Plant Capacity Reservation and Bulk Treatment Agreement with the Town of Lady Lake, a copy of which is attached hereto, is approved.

Section 2. The Commission authorizes the Mayor to execute the Amended and Restated Agreement.

Section 3. This resolution shall take effect immediately upon its final adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND RESOLVED this 13th day of October, 2016, by the City Commission of the City of Fruitland Park, Florida.

SEAL

CITY COMMISSION OF THE CITY OF
FRUITLAND PARK, FLORIDA



CHRISTOPHER J. BELL, MAYOR

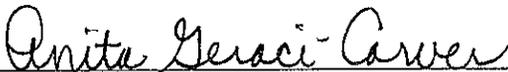
ATTEST:



ESTHER COULSON, CITY CLERK

Vice Mayor Gunter	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)
Commissioner Cheshire	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)
Commissioner Lewis	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)
Commissioner Ranize	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)
Mayor Bell	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)

Approved as to form and legality:



Anita Geraci-Carver, City Attorney

AMENDED AND RESTATED TO WASTEWATER TREATMENT PLANT CAPACITY
RESERVATION AND BULK TREATMENT AGREEMENT

THIS AGREEMENT is made this 13th day of October, 2016. Between the TOWN OF LADY LAKE, a political subdivision in the state of Florida (hereinafter "Town"), and THE CITY OF FRUITLAND PARK, a Florida municipal corporation (hereinafter "City").

Terms and Conditions

In consideration of the commitment of the Town to receive and treat the wastewater of the City, and of the commitment of the City to pay for the treatment of wastewater by the Town, the receipt and sufficiency of such commitments being hereby acknowledged, the parties agree to the following terms and conditions.

1. **Effective Date.** This Agreement shall be effective upon execution by both parties (the "Effective Date"). Upon execution by both parties, this Agreement shall be recorded in the Official Records of Lake County, Florida.
2. **Term.** The term of this Agreement shall be ten (10) years from the Effective Date unless earlier terminated or extended by mutual written agreement.
3. **Capacity Reservation and Bulk Treatment.** The Town agrees to reserve for the use of the City, wastewater treatment capacity of up to 500,000 gallons per day (GPD), flow rates and charges to be reviewed and adjusted annually during the term of the agreement. To allow the Town sufficient time for any future plant expansion to accommodate the capacity utilized by the City, the City may not increase its utilization of the reserved capacity in any one year (unless such capacity is available) by more than 100,000 GPD above the average actual utilized capacity for the prior calendar year without Town approval. GPD shall be measured on a ninety day average of daily flows.
4. **Service Rates for Wastewater Treatment.** The service rates for wastewater treated by the Town pursuant to the initial capacity reservation by the City shall be as stipulated in attachment "A" of this Agreement and adjusted annually by the Town to equal the Town's current approved rate structure for customer wastewater billing rates. However, fees shall not begin until the City has connected its wastewater infrastructure to the Town's system and begins sending waste to Town for treatment. The City will not provide bulk service pricing to those customers of the City whose wastewater is treated in the Town's treatment plant pursuant to this Agreement, and will limit wastewater services to those areas within the incorporated boundary or ISBA Boundary of the City.
5. **Wastewater Quality.**
 - A. The City shall undertake whatever procedures necessary in the inspection, policing, and regulation of all wastewater introduced into the City wastewater collection systems, to ensure that the quality of raw wastewater transmitted by the City to the Town shall not exceed the following criteria:

(1) BOD	-	350 ppm
TSS	-	350 ppm
Fats, Oil, Grease	-	50 ppm
Hydrogen, Sulfide	-	3.00 ppm

(2) In addition, the wastewater shall not contain material amounts of the following pollutants:

- (a) Pollutants which create a fire or explosion hazard.
- (b) Pollutants which will cause corrosive structural damage, but in no case discharges with pH lower than 5.5 or higher than 9.5.
- (c) Solid or viscous pollutants in amounts which will cause interference with the operation of the treatment facilities.
- (d) Any pollutant, including oxygen-demanding pollutants (BOD, etc.) released in a discharge of such volume or strength as to cause interference in the treatment facilities.
- (e) Heat in amounts which will inhibit biological activity in the treatment facilities resulting in interference, but in no case heat in such quantities that the temperature at the treatment plant influent (one hundred four (104) degrees Fahrenheit).
- (f) Unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage or cooling water.

(3) Concentrations in excess of the limits and constituents defined below shall not be allowed. Should these limits be exceeded, City shall immediately eliminate the cause of the violation.

Antimony	1.00 ppm	Tin	5.00 ppm
Arsenic	0.25 ppm	Zinc	1.00 ppm
Barium	10.00 ppm	Total Metals	10.00 ppm
Beryllium	0.25 ppm	Fats, Oil and Grease	100.00 ppm
Boron	1.00 ppm	Iodine	10.00 ppm
Cadmium	0.70 ppm	Benzene compounds	5.00 ppm
Total Chromium	1.00 ppm	Carbon tetrachloride	10.00 ppm
Cobalt	0.30 ppm	Chloroethylene comps.	10.00 ppm
Copper	2.00 ppm	Chloroethene compounds	5.00 ppm
Cyanide	0.50 ppm	Chloroethane compounds	10.00 ppm
Lead	0.40 ppm	Chloroform	10.00 ppm
Lithium	0.03 ppm	Pentachlorophenol	10.00 ppm
Manganese	1.50 ppm	Total Phenol	0.50 ppm
Mercury	0.005 ppm	Hydrogen Sulfide	6.00 ppm
Nickel	0.70 ppm	COD	600.00 ppm
Selenium	0.50 ppm	BOD	600.00 ppm
Silver	0.50 ppm	TSS	600.00 ppm

Should City transmit any of the above-listed items other than those addressed in 3 (b) below, City shall pay for any costs or damages the Town incurs because of City's

violation and the Town may immediately terminate this agreement if not eliminated within 30 days of initial date of detection. City's uncured violation as determined by the Town shall be sufficient cause to terminate this agreement.

- B. In the event that the City transmits to the Town wastewater which exceeds the limits for 5-day biochemical oxygen demands (BOD), total suspended solids (TSS), Fats, Oils and Grease or Hydrogen Sulfide, then the Town may estimate the total volume of wastewater not meeting the requirements of Paragraph 5A, above, and assess and collect a surcharge from the City as follows:

BOD or TSS (whichever is higher)			
350 – 400 ppm	-	\$	0.50/1000 gal
400 – 450 ppm	-	\$	1.25/1000 gal
450 – 500 ppm	-	\$	3.15/1000 gal
500 – 550 ppm	-	\$	7.95/1000 gal
550 – 600 ppm	-	\$	20.00/1000 gal
Fats, Oils and Grease	-	\$	0.10/1000 gal
Hydrogen Sulfide	-	\$	0.20/1000 gal

6. **Wastewater Treatment Standards.** The Town shall continuously accomplish all health hazard and pollutant removal standards as then required by applicable regulatory requirements.
7. **Resolution of Disputes Involving Raw Wastewater Quality or Wastewater Treatment Standards.** Before litigating any dispute under this Agreement, the parties' representatives shall personally meet in good faith to resolve their dispute.
8. **Costs and Expenses.**
- A. City shall be responsible for all engineering expenses and infrastructure installation costs associated with the connection to the Town's wastewater collection system, including but not limited to wastewater collection and transmission lines, wastewater sampling station, wastewater master meter, and related improvements to the Town's wastewater collection system. All related improvements must be approved by Town staff prior to implementation.
- B. The City will specify, approve, and pay costs for all associated infrastructure and equipment from Town's connection point at the headworks of the WWTP back to City. Maintenance and repair or replacement costs from Town's connection point and back to City will be responsibility of City. The point of connection for the City sewer line shall be at the Town's WWTP Headworks. The work shall also include running sewer force main along several Town roadways, including: April Hills Boulevard, Shannon Lane and Teal Lane.

C. Except for charges for service and items specified in this agreement, each Party shall be wholly responsible for and shall pay all of any such Party's costs and expenses incurred in complying with the terms of this Agreement.

D. The City shall not charge the Town, and the Town shall not charge the City any connection fees, tapping fees, impact fees or any fee or charge of any kind, except service rates and operational charges as set forth herein for any obligation incurred or service performed pursuant to this Agreement. The Town Commission of the Town expressly waives the imposition of impact fees to the City concerning this Agreement.

9. **Ownership and Maintenance Responsibilities.**

A. City will be responsible for all costs associated with infrastructure installed as a part of this project, including but not limited to, easement acquisition, engineering services, and all related materials and equipment.

B. City will be responsible for all maintenance and replacement costs of installed infrastructure and equipment installed on the City side to the Town's WWTP Headworks related to this project.

C. City will install a wastewater quality sampling station on its isolated discharge inlet into the Town's WWTP Headworks, specified and approved by Town at a location approved by the Town. Town will monitor and report findings of wastewater quality sampling via the City installed sampling station and or other sampling methods.

D. City will install and maintain a properly sized and Town approved wastewater meter. Such meter will be calibrated by the City annually by a certified calibration professional approved by the Town.

10. **Applicable Law.** The terms and provisions of this Agreement shall be governed by the law of Florida.

11. **Compliance with the Law.** The Town and the City will comply with all applicable laws, rules, regulations and ordinances that shall apply to the conduct of the Parties, treatment of wastewater, manning of facilities, regulatory reports, measurement, testing, qualifications of operating personnel., and all other such laws and regulations which may be applicable to the performance of the Parties pursuant to this Agreement.

12. **Cooperation.** The Parties will each cooperate with the other in providing such documents, analyses, test reports, studies and all things reasonably necessary for harmonious and successful compliance with the terms of this Agreement.

13. **Copies.** This Agreement shall be executed in three (3) copies, each of which shall be an original. One copy shall be provided to the City, one copy shall be provided to the Town, and other copy shall be provided to the Florida Department of Environmental Protection.

14. **Force Majeure.** Throughout the period of time when performance of any provision of this Agreement shall be prevented by occurrences or events wholly outside the control of the Party failing to perform as a result of such occurrence or event (“force majeure”), then such Party shall be excused from performance under the terms of this Agreement, for only that period of time such performance is prevented by force majeure, and during the time which the defaulting Party has made diligent effort to cure such default. With the exception of involuntary bankruptcy, this provision excusing performance during force majeure shall not apply to the payment of rates as specified by this Agreement.

15. **Notices.** All Notices required or authorized under this Agreement shall be given in writing and shall be served by mail or hand-delivery on the Parties at the addresses listed below:

Town:	Town of Lady Lake Town Manager 409 Fennell Blvd Lady Lake, FL 32159
-------	--

City of Fruitland Park	City of Fruitland Park City Manager 506 West Berckman Street Fruitland Park, FL 34731
------------------------	--

16. **Disclaimer of Third-Party Beneficiaries.** This agreement is solely for the benefit of the formal Parties hereto, and no right or cause of action shall accrue upon or by reason thereof, to or for the benefit of any third party not a formal Party hereto.

17. **Costs and Attorney’s Fees.** In the event that the City or the Town is required to enforce this Agreement by Court proceedings or otherwise, by instituting suit or otherwise, then the prevailing Party shall be entitled to recover from the other Party all costs incurred, including reasonable attorney’s fees in such actions, including appeals.

18. **Effect of Waiver.** Failure to insist upon strict compliance with any of the terms, covenants, or conditions, nor shall any waiver or relinquishment of any right or power hereunder at any one time or times be deemed a waiver or relinquishment of such right or power at any other time or times.

19. **Severability.** If any part of this Agreement is found invalid or unenforceable by a court or administrative agency, or by reason of changes in State or Federal laws or regulations, such invalidity or unenforceability shall not affect the other parts of this Agreement, the rights and obligations of the Parties contained herein not materially prejudiced, and if the intentions of the Parties can continue to be effectuated. To that end, this Agreement is declared to be severable.

20. **Termination Without Cause.** The Town or City may terminate this Agreement without cause by providing 30 months written notice to the non-terminating party.

THIS WRITTEN AGREEMENT constitutes the entire agreement between the Parties, and has been entered into voluntarily and with independent advice and legal counsel, and has been executed by the authorized representative of each Party on the date first written above. Modifications to and waiver of the provisions herein shall be made in writing by the Parties hereto.

ATTEST:

TOWN OF LADY LAKE

Print Name: _____

By: _____
Ruth Kussard, Mayor

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by Ruth Kussard, the Mayor of the Town of Lady Lake.

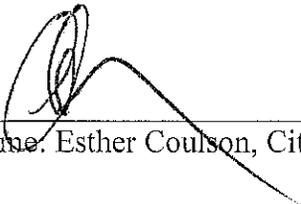
NOTARY PUBLIC – STATE OF FLORIDA
(Signature of Notary Public)

(Print name of Notary Public)
My Commission Expires: _____

Serial/Commission Number
Personally Know _____ or Produced Identification _____
Type of Identification Produced: _____

ATTEST:

CITY OF FRUITLAND PARK, FLORIDA



Print Name: Esther Coulson, City Clerk

By: 

Chris Bell, Mayor

STATE OF FLORIDA
COUNTY OF LAKE

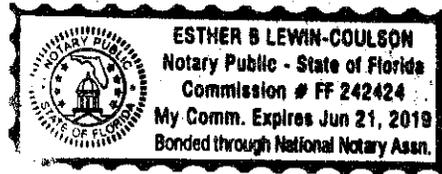
The foregoing instrument was acknowledged before me this 13th day of October,
2016, by Chris Bell, the Mayor of the City of Fruitland Park.



NOTARY PUBLIC – STATE OF FLORIDA
(Signature of Notary Public)

Esther B. Lewin-Coulson

(Print name of Notary Public)
My Commission Expires: June 21, 2019
FF 242424



Serial/Commission Number _____
Personally Know or Produced Identification _____
Type of Identification Produced: _____

ATTACHMENT "A"

Fruitland Park Wastewater Interconnection Service Fees

Flow Rate(gpd) ¹	Operational Costs	Usage Charge	Base Facilities	Base Res Fee	Total Monthly Fee**
100,000	\$10,573.33	\$355.00	\$5,400.00	\$2,700.00	\$19,028.33
110,000	\$11,630.67	\$390.50	\$5,940.00	\$2,970.00	\$20,931.17
120,000	\$12,688.00	\$426.00	\$6,480.00	\$3,240.00	\$22,834.00
130,000	\$13,745.33	\$461.50	\$7,020.00	\$3,510.00	\$24,736.83
140,000	\$14,802.67	\$497.00	\$7,560.00	\$3,780.00	\$26,639.67
150,000	\$15,860.00	\$532.50	\$8,100.00	\$4,050.00	\$28,542.50
160,000	\$16,917.33	\$568.00	\$8,640.00	\$4,320.00	\$30,445.33
170,000	\$17,974.67	\$603.50	\$9,180.00	\$4,590.00	\$32,348.17
180,000	\$19,032.00	\$639.00	\$9,720.00	\$4,860.00	\$34,251.00
190,000	\$20,089.33	\$674.50	\$10,260.00	\$5,130.00	\$36,153.83
200,000	\$21,146.67	\$710.00	\$10,800.00	\$5,400.00	\$38,056.67
210,000	\$22,204.00	\$745.50	\$11,340.00	\$5,670.00	\$39,959.50
220,000	\$23,261.33	\$781.00	\$11,880.00	\$5,940.00	\$41,862.33
230,000	\$24,318.67	\$816.50	\$12,420.00	\$6,210.00	\$43,765.17
240,000	\$25,376.00	\$852.00	\$12,960.00	\$6,480.00	\$45,668.00
250,000	\$26,433.33	\$887.50	\$13,500.00	\$6,750.00	\$47,570.83
260,000	\$27,490.67	\$923.00	\$14,040.00	\$7,020.00	\$49,473.67
270,000	\$28,548.00	\$958.50	\$14,580.00	\$7,290.00	\$51,376.50
280,000	\$29,605.33	\$994.00	\$15,120.00	\$7,560.00	\$53,279.33
290,000	\$30,662.67	\$1,029.50	\$15,660.00	\$7,830.00	\$55,182.17
300,000	\$31,720.00	\$1,065.00	\$16,200.00	\$8,100.00	\$57,085.00
310,000	\$32,777.33	\$1,100.50	\$16,740.00	\$8,370.00	\$58,987.83
320,000	\$33,834.67	\$1,136.00	\$17,280.00	\$8,640.00	\$60,890.67
330,000	\$34,892.00	\$1,171.50	\$17,820.00	\$8,910.00	\$62,793.50
340,000	\$35,949.33	\$1,207.00	\$18,360.00	\$9,180.00	\$64,696.33
350,000	\$37,006.67	\$1,242.50	\$18,900.00	\$9,450.00	\$66,599.17
360,000	\$38,064.00	\$1,278.00	\$19,440.00	\$9,720.00	\$68,502.00
370,000	\$39,121.33	\$1,313.50	\$19,980.00	\$9,990.00	\$70,404.83
380,000	\$40,178.67	\$1,349.00	\$20,520.00	\$10,260.00	\$72,307.67
390,000	\$41,236.00	\$1,384.50	\$21,060.00	\$10,530.00	\$74,210.50
400,000	\$42,293.33	\$1,420.00	\$21,600.00	\$10,800.00	\$76,113.33
410,000	\$43,350.67	\$1,455.50	\$22,140.00	\$11,070.00	\$78,016.17
420,000	\$44,408.00	\$1,491.00	\$22,680.00	\$11,340.00	\$79,919.00
430,000	\$45,465.33	\$1,526.50	\$23,220.00	\$11,610.00	\$81,821.83
440,000	\$46,522.67	\$1,562.00	\$23,760.00	\$11,880.00	\$83,724.67

450,000	\$47,580.00	\$1,597.50	\$24,300.00	\$12,150.00	\$85,627.50
460,000	\$48,637.33	\$1,633.00	\$24,840.00	\$12,420.00	\$87,530.33
470,000	\$49,694.67	\$1,668.50	\$25,380.00	\$12,690.00	\$89,433.17
480,000	\$50,752.00	\$1,704.00	\$25,920.00	\$12,960.00	\$91,336.00
490,000	\$51,809.33	\$1,739.50	\$26,460.00	\$13,230.00	\$93,238.83
500,000	\$52,866.67	\$1,775.00	\$27,000.00	\$13,500.00	\$95,141.67
510,000	\$53,924.00	\$1,810.50	\$27,540.00	\$13,770.00	\$97,044.50
520,000	\$54,981.33	\$1,846.00	\$28,080.00	\$14,040.00	\$98,947.33
530,000	\$56,038.67	\$1,881.50	\$28,620.00	\$14,310.00	\$100,850.17
540,000	\$57,096.00	\$1,917.00	\$29,160.00	\$14,580.00	\$102,753.00
550,000	\$58,153.33	\$1,952.50	\$29,700.00	\$14,850.00	\$104,655.83
560,000	\$59,210.67	\$1,988.00	\$30,240.00	\$15,120.00	\$106,558.67
570,000	\$60,268.00	\$2,023.50	\$30,780.00	\$15,390.00	\$108,461.50
580,000	\$61,325.33	\$2,059.00	\$31,320.00	\$15,660.00	\$110,364.33
590,000	\$62,382.67	\$2,094.50	\$31,860.00	\$15,930.00	\$112,267.17
600,000	\$63,440.00	\$2,130.00	\$32,400.00	\$16,200.00	\$114,170.00

Operational Costs*

Flow Rate	ERU's(per 250 gpd)	Term(Months)	ERU Rate	Monthly Fee
100,000	400	120	\$3,172	\$10,573.33
110,000	440	120	\$3,172	\$11,630.67
120,000	480	120	\$3,172	\$12,688.00
130,000	520	120	\$3,172	\$13,745.33
140,000	560	120	\$3,172	\$14,802.67
150,000	600	120	\$3,172	\$15,860.00
160,000	640	120	\$3,172	\$16,917.33
170,000	680	120	\$3,172	\$17,974.67
180,000	720	120	\$3,172	\$19,032.00
190,000	760	120	\$3,172	\$20,089.33
200,000	800	120	\$3,172	\$21,146.67
210,000	840	120	\$3,172	\$22,204.00
220,000	880	120	\$3,172	\$23,261.33
230,000	920	120	\$3,172	\$24,318.67
240,000	960	120	\$3,172	\$25,376.00
250,000	1000	120	\$3,172	\$26,433.33
260,000	1040	120	\$3,172	\$27,490.67
270,000	1080	120	\$3,172	\$28,548.00
280,000	1120	120	\$3,172	\$29,605.33
290,000	1160	120	\$3,172	\$30,662.67

300,000	1200	120	\$3,172	\$31,720.00
310,000	1240	120	\$3,172	\$32,777.33
320,000	1280	120	\$3,172	\$33,834.67
330,000	1320	120	\$3,172	\$34,892.00
340,000	1360	120	\$3,172	\$35,949.33
350,000	1400	120	\$3,172	\$37,006.67
360,000	1440	120	\$3,172	\$38,064.00
370,000	1480	120	\$3,172	\$39,121.33
380,000	1520	120	\$3,172	\$40,178.67
390,000	1560	120	\$3,172	\$41,236.00
400,000	1600	120	\$3,172	\$42,293.33
410,000	1640	120	\$3,172	\$43,350.67
420,000	1680	120	\$3,172	\$44,408.00
430,000	1720	120	\$3,172	\$45,465.33
440,000	1760	120	\$3,172	\$46,522.67
450,000	1800	120	\$3,172	\$47,580.00
460,000	1840	120	\$3,172	\$48,637.33
470,000	1880	120	\$3,172	\$49,694.67
480,000	1920	120	\$3,172	\$50,752.00
490,000	1960	120	\$3,172	\$51,809.33
500,000	2000	120	\$3,172	\$52,866.67
510,000	2040	120	\$3,172	\$53,924.00
520,000	2080	120	\$3,172	\$54,981.33
530,000	2120	120	\$3,172	\$56,038.67
540,000	2160	120	\$3,172	\$57,096.00
550,000	2200	120	\$3,172	\$58,153.33
560,000	2240	120	\$3,172	\$59,210.67
570,000	2280	120	\$3,172	\$60,268.00
580,000	2320	120	\$3,172	\$61,325.33
590,000	2360	120	\$3,172	\$62,382.67
600,000	2400	120	\$3,172	\$63,440.00

Usage Charge**

Flow Rate	ERU's(per 250 gpd)	Fee per 1000 gals	Monthly Fee
100,000	400	\$3.55	\$355.00
110,000	440	\$3.55	\$390.50
120,000	480	\$3.55	\$426.00
130,000	520	\$3.55	\$461.50
140,000	560	\$3.55	\$497.00
150,000	600	\$3.55	\$532.50

160,000	640	\$3.55	\$568.00
170,000	680	\$3.55	\$603.50
180,000	720	\$3.55	\$639.00
190,000	760	\$3.55	\$674.50
200,000	800	\$3.55	\$710.00
210,000	840	\$3.55	\$745.50
220,000	880	\$3.55	\$781.00
230,000	920	\$3.55	\$816.50
240,000	960	\$3.55	\$852.00
250,000	1000	\$3.55	\$887.50
260,000	1040	\$3.55	\$923.00
270,000	1080	\$3.55	\$958.50
280,000	1120	\$3.55	\$994.00
290,000	1160	\$3.55	\$1,029.50
300,000	1200	\$3.55	\$1,065.00
310,000	1240	\$3.55	\$1,100.50
320,000	1280	\$3.55	\$1,136.00
330,000	1320	\$3.55	\$1,171.50
340,000	1360	\$3.55	\$1,207.00
350,000	1400	\$3.55	\$1,242.50
360,000	1440	\$3.55	\$1,278.00
370,000	1480	\$3.55	\$1,313.50
380,000	1520	\$3.55	\$1,349.00
390,000	1560	\$3.55	\$1,384.50
400,000	1600	\$3.55	\$1,420.00
410,000	1640	\$3.55	\$1,455.50
420,000	1680	\$3.55	\$1,491.00
430,000	1720	\$3.55	\$1,526.50
440,000	1760	\$3.55	\$1,562.00
450,000	1800	\$3.55	\$1,597.50
460,000	1840	\$3.55	\$1,633.00
470,000	1880	\$3.55	\$1,668.50
480,000	1920	\$3.55	\$1,704.00
490,000	1960	\$3.55	\$1,739.50
500,000	2000	\$3.55	\$1,775.00
510,000	2040	\$3.55	\$1,810.50
520,000	2080	\$3.55	\$1,846.00
530,000	2120	\$3.55	\$1,881.50
540,000	2160	\$3.55	\$1,917.00
550,000	2200	\$3.55	\$1,952.50
560,000	2240	\$3.55	\$1,988.00

570,000	2280	\$3.55	\$2,023.50
580,000	2320	\$3.55	\$2,059.00
590,000	2360	\$3.55	\$2,094.50
600,000	2400	\$3.55	\$2,130.00

Base Facilities Fee*

Flow Rate	ERU's(per 250 gpd)	Fee per ERU	Monthly Fee
100,000	400	\$13.50	\$5,400.00
110,000	440	\$13.50	\$5,940.00
120,000	480	\$13.50	\$6,480.00
130,000	520	\$13.50	\$7,020.00
140,000	560	\$13.50	\$7,560.00
150,000	600	\$13.50	\$8,100.00
160,000	640	\$13.50	\$8,640.00
170,000	680	\$13.50	\$9,180.00
180,000	720	\$13.50	\$9,720.00
190,000	760	\$13.50	\$10,260.00
200,000	800	\$13.50	\$10,800.00
210,000	840	\$13.50	\$11,340.00
220,000	880	\$13.50	\$11,880.00
230,000	920	\$13.50	\$12,420.00
240,000	960	\$13.50	\$12,960.00
250,000	1000	\$13.50	\$13,500.00
260,000	1040	\$13.50	\$14,040.00
270,000	1080	\$13.50	\$14,580.00
280,000	1120	\$13.50	\$15,120.00
290,000	1160	\$13.50	\$15,660.00
300,000	1200	\$13.50	\$16,200.00
310,000	1240	\$13.50	\$16,740.00
320,000	1280	\$13.50	\$17,280.00
330,000	1320	\$13.50	\$17,820.00
340,000	1360	\$13.50	\$18,360.00
350,000	1400	\$13.50	\$18,900.00
360,000	1440	\$13.50	\$19,440.00
370,000	1480	\$13.50	\$19,980.00
380,000	1520	\$13.50	\$20,520.00
390,000	1560	\$13.50	\$21,060.00
400,000	1600	\$13.50	\$21,600.00
410,000	1640	\$13.50	\$22,140.00
420,000	1680	\$13.50	\$22,680.00

430,000	1720	\$13.50	\$23,220.00
440,000	1760	\$13.50	\$23,760.00
450,000	1800	\$13.50	\$24,300.00
460,000	1840	\$13.50	\$24,840.00
470,000	1880	\$13.50	\$25,380.00
480,000	1920	\$13.50	\$25,920.00
490,000	1960	\$13.50	\$26,460.00
500,000	2000	\$13.50	\$27,000.00
510,000	2040	\$13.50	\$27,540.00
520,000	2080	\$13.50	\$28,080.00
530,000	2120	\$13.50	\$28,620.00
540,000	2160	\$13.50	\$29,160.00
550,000	2200	\$13.50	\$29,700.00
560,000	2240	\$13.50	\$30,240.00
570,000	2280	\$13.50	\$30,780.00
580,000	2320	\$13.50	\$31,320.00
590,000	2360	\$13.50	\$31,860.00
600,000	2400	\$13.50	\$32,400.00

Base Facilities Res *

Flow Rate	ERU's(per 250 gpd)	Fee per ERU	Monthly Fee
100,000	400	\$6.75	\$2,700.00
110,000	440	\$6.75	\$2,970.00
120,000	480	\$6.75	\$3,240.00
130,000	520	\$6.75	\$3,510.00
140,000	560	\$6.75	\$3,780.00
150,000	600	\$6.75	\$4,050.00
160,000	640	\$6.75	\$4,320.00
170,000	680	\$6.75	\$4,590.00
180,000	720	\$6.75	\$4,860.00
190,000	760	\$6.75	\$5,130.00
200,000	800	\$6.75	\$5,400.00
210,000	840	\$6.75	\$5,670.00
220,000	880	\$6.75	\$5,940.00
230,000	920	\$6.75	\$6,210.00
240,000	960	\$6.75	\$6,480.00
250,000	1000	\$6.75	\$6,750.00
260,000	1040	\$6.75	\$7,020.00
270,000	1080	\$6.75	\$7,290.00
280,000	1120	\$6.75	\$7,560.00

290,000	1160	\$6.75	\$7,830.00
300,000	1200	\$6.75	\$8,100.00
310,000	1240	\$6.75	\$8,370.00
320,000	1280	\$6.75	\$8,640.00
330,000	1320	\$6.75	\$8,910.00
340,000	1360	\$6.75	\$9,180.00
350,000	1400	\$6.75	\$9,450.00
360,000	1440	\$6.75	\$9,720.00
370,000	1480	\$6.75	\$9,990.00
380,000	1520	\$6.75	\$10,260.00
390,000	1560	\$6.75	\$10,530.00
400,000	1600	\$6.75	\$10,800.00
410,000	1640	\$6.75	\$11,070.00
420,000	1680	\$6.75	\$11,340.00
430,000	1720	\$6.75	\$11,610.00
440,000	1760	\$6.75	\$11,880.00
450,000	1800	\$6.75	\$12,150.00
460,000	1840	\$6.75	\$12,420.00
470,000	1880	\$6.75	\$12,690.00
480,000	1920	\$6.75	\$12,960.00
490,000	1960	\$6.75	\$13,230.00
500,000	2000	\$6.75	\$13,500.00
510,000	2040	\$6.75	\$13,770.00
520,000	2080	\$6.75	\$14,040.00
530,000	2120	\$6.75	\$14,310.00
540,000	2160	\$6.75	\$14,580.00
550,000	2200	\$6.75	\$14,850.00
560,000	2240	\$6.75	\$15,120.00
570,000	2280	\$6.75	\$15,390.00
580,000	2320	\$6.75	\$15,660.00
590,000	2360	\$6.75	\$15,930.00
600,000	2400	\$6.75	\$16,200.00

¹ - Tiered Rate, charges up to flow rate shown, adjusted charges to next tier when flow rate is exceeded

* - Based on current fiscal year approved rates

** - Estimated at maximum tiered rates, actually metered usage will be billed monthly



J-8

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: November 7, 2016

SUBJECT: Consideration of Approval to Award Bid No. 2016-0003 for Construction of the Villages Elementary School Sidewalks at CR 25 (Safe Routes to School Sidewalk Phase 2) to Hartman Civil Construction Co., Inc. in the Amount of \$344,700.00.

DEPARTMENT: Parks and Recreation

STAFF RECOMMENDED MOTION: Approval to Award Bid No. 2016-0003 for Construction of the Villages Elementary School Sidewalks at CR 25 (Safe Routes to School Sidewalk Phase 2) to Hartman Civil Construction Co., Inc. in the Amount of \$344,700.00.

SUMMARY: Hartman Civil Construction Co., Inc. had the lowest competent bid for the sidewalk project. This firm is F.D.O.T. Pre-Qualified, which means they have filed all the necessary paperwork with F.D.O.T. as they compete for this type of job on a regular basis. Mike Hartman, owner of the company, was the supervisor on Phase I of this project and was very good to work with. Please see the supporting documents from Neel-Schaffer for the bid tabulation for the five bids. F.D.O.T. District 5 has approved this bid for award.

FISCAL IMPACT: \$343,700.00 - no-match grant funding
\$ 1,000.00 - paid by Town
\$344,700.00 - Total
[] Capital Budget
[X] Operating - #001-7201-572.46-20
[X] Other (grant funding)

ATTACHMENTS: [] Ordinance [] Resolution [] Budget Resolution

[] Other [X] Support Documents (contract and e-mails)

Handwritten initials 'JS'

DEPARTMENT HEAD M DB Submitted 10/31/16 Date 11/07/16
HR Approved as to Form Date
FINANCE DEPARTMENT POW Approved as to Budget Requirements Date 10/31/16
TOWN MANAGER K Approved Agenda Item for: 10/31/16 Date 10/31/16

COMMISSION ACTION:

- [] Approved as Recommended [] Disapproved [] Tabled Indefinitely
[] Continued to Date Certain [] Approved with Modification

October 3, 2016

Mr. Mike Burske
Parks and Recreation Director
The Town of Lady Lake
260 Rolling Acres Road
Lady Lake, Florida 32159

Re: Bid Evaluation and Recommendation of Award
Local Agency Program (LAP) – Villages Elementary, Safe Routes to School
Project Bid No. 2016-0003
FPN: 433200-1-58-01
FAN: SRTS 329 A
Lady Lake, Lake County, Florida

Dear Mike:

On September 12, 2016, the Town of Lady Lake and Neel-Schaffer, Inc. received sealed construction bids for the above referenced project from five (5) contractors, Florida Safety Contractors, Inc., Hartman Civil Construction Co., Inc., LAS Contracting Corp., RMS Constructors Group, LLC., and Total Earth Services, LLC. The town's Engineers, Neel-Schaffer, Inc., performed a bid analysis in accordance with Chapter 22 of the Local Agency Program Manual and is recommending the award of the contract to the low bidder, **Hartman Civil Construction Co., Inc.**, in the amount of **\$344,700.00**. The detailed Bid Analysis is below.

Bid Summary

A total of five (5) bids were received, summarized as follows:

- | | | |
|---|--------------|-----------------------------|
| 1. Hartman Civil Construction Co., Inc. | \$343,700.00 | (Corrected to \$344,700.00) |
| 2. Florida Safety Contractors, Inc. | \$361,432.60 | |
| 3. RMS Construction Group, LLC. | \$391,706.00 | |
| 4. Total Earth Services, LLC. | \$418,857.83 | (Corrected to \$424,644.25) |
| 5. LAS Contracting Corp. | \$426,732.75 | |

Based on a review of the information provided to us, all five bid proposals appear complete, however minor mathematical errors were discovered on the bids from Hartman Civil Construction Co., Inc. and Total Earth Services, LLC. These errors did not affect the final outcome of the bids. They have submitted bid proposals to comply with all bidding requirements called for in the bid documents. We believe that these bid proposals are in conformance in all material respects to the invitation for bids and are therefore responsive bids.

Based upon the information in the bid proposal, each are licensed Contractors in the State of Florida and seem to possess the manpower and equipment necessary to perform the classes of work within the time specified. The responses from the contacted references indicate that the contractors have performed satisfactorily on past similar projects and historically completed projects within the specified contract times.

The complete bid tabulation is attached as Exhibit A

Comparison to Engineer's Estimate

The Town's design engineer, Connelly & Wicker Inc., estimated the total construction cost to be \$296,426.01. Hartman Civil Construction Co., Inc.'s low bid in the amount of \$344,700.00 is approximately **16%** higher than the engineer's estimate. Exhibit B includes a detailed comparison of the engineer's estimate to Hartman's low bid. Comments are also provided on Exhibit B explaining the possible reasons for all pay items 30% or more above the engineer's estimate.

Recommendation to Not Re-advertise

Neel-Schaffer, Inc., does not believe that re-advertising the project would result in any increased interest in the project or any reduction in the price. The total prices for the 5 bids received were within the same price range with approximately \$83,000 difference between the lowest and the highest bid. The two lowest bids were very close (only \$17,732 apart, or 5.2%) which indicated the project was competitively bid.

Recommended Contract Award Amount

Based on our review of the qualification submittals from the five bidders, our conversations with references and our analysis of the bid tabulations, we find Hartman Civil Construction Co., Inc. to be the lowest, responsible and responsive. It was also determined that Hartman Civil Construction Co., Inc. is not on the State and Federal suspension/debarment list. Therefore, we recommend that the above referenced construction contract be awarded to Hartman Civil Construction Co., Inc. for the unit price total contract amount of **\$344,700.00**.

Request for Additional Funding

The Town's current LAP agreement funds the LAP-eligible construction items in the amount of \$296,798.00. The total bid price of Hartman Civil Construction Co., Inc.'s low bid (modified for minor mathematical error) has a total LAP-eligible bid amount of \$344,700.00. **The Town of Lady Lake would like to request additional LAP funding in the amount of \$47,902.00** to cover the increase in LAP-eligible construction costs.

If you have any questions or comments, please contact me at your earliest convenience.

Sincerely,
Neel-Schaffer, Inc.



Steven R. Cockerham, P.E.
Senior Project Manager

EXHIBIT A
Town of Lady Lake, Florida
Villages Elementary Safe Routes To School Project
FPN: 433200-1-58-01, FAN: SRTS 329A
Bid Tabulation

ITEM	DESCRIPTION	QUANTITY	UNIT	ENGINEERS ESTIMATE		Florida Safety Contractors, Inc.	PO	Hartman Civil Construction Co.,	LAS Contracting Corp.	RMS Constructors Group, LLC	Total Earth Services, LLC						
				UNIT COST	TOTAL	Box 5528 FL 33687	Tampa,	Inc. 7379 N. Whippoorill Terrace Henando, FL 34711	13701 N. Nebraska Ave., #102 Tampa, FL 33613	6996 Piazza Grande Ave., Ste 212 Orlando, FL 32835	8470 NE 44th Drive Wildwood, FL 34785	UNIT COST	TOTAL	UNIT COST	TOTAL		
101-1	Mobilization	1	LS	\$24,702.17	\$ 24,702.17	\$ 33,500.00	\$ 33,500.00	\$ 15,000.00	\$ 15,000.00	\$ 30,000.00	\$ 30,000.00	\$ 43,000.00	\$ 43,000.00	\$ 19,868.89	\$ 19,868.89		
102-1	Maintenance of Traffic	1	LS	\$24,702.17	\$ 24,702.17	\$ 19,000.00	\$ 19,000.00	\$ 14,198.50	\$ 14,198.50	\$ 30,000.00	\$ 30,000.00	\$ 12,000.00	\$ 12,000.00	\$ 33,895.83	\$ 33,895.83		
102-3	Commercial Material For Diveway Maintenance	197	CY	\$ 33.95	\$ 6,688.15	\$ 15.00	\$ 2,955.00	\$ 30.00	\$ 5,910.00	\$ 45.00	\$ 8,865.00	\$ 65.00	\$ 12,805.00	\$ 42.27	\$ 8,327.19		
102-60	Work Zone Signs, 100 Days	1400	ED	\$ 0.27	\$ 378.00	\$ 0.50	\$ 1,120.00	\$ 1.00	\$ 1,400.00	\$ 0.80	\$ 940.00	\$ 0.60	\$ 840.00	\$ 0.53	\$ 742.00		
102-74-1	Channelizing Device (Types I, II, DL, VP, Drum, or LCD), 100 Days	7900	ED	\$ 0.14	\$ 1,106.00	\$ 0.20	\$ 1,580.00	\$ 0.25	\$ 1,975.00	\$ 0.20	\$ 1,580.00	\$ 0.40	\$ 3,160.00	\$ 0.36	\$ 2,844.00		
102-99	Portable Changeable Message Sign, Temporary, 100 Days	400	ED	\$ 15.47	\$ 6,188.00	\$ 14.00	\$ 5,600.00	\$ 20.00	\$ 8,000.00	\$ 28.00	\$ 10,400.00	\$ 15.00	\$ 6,000.00	\$ 24.13	\$ 8,552.00		
104-10-3	Sediment Barrier	4063	LF	\$ 1.52	\$ 6,084.56	\$ 1.00	\$ 4,003.00	\$ 2.00	\$ 8,006.00	\$ 1.50	\$ 6,004.50	\$ 2.50	\$ 10,007.50	\$ 1.81	\$ 7,245.43		
104-18	Inlet Protection System	11	EA	\$ 99.77	\$ 1,097.47	\$ 90.00	\$ 990.00	\$ 305.00	\$ 3,300.00	\$ 150.00	\$ 1,650.00	\$ 250.00	\$ 2,750.00	\$ 108.63	\$ 1,194.93		
107-1	Litter Removal and Disposal	11.10	AC	\$ 25.07	\$ 278.28	\$ 50.00	\$ 555.00	\$ 100.00	\$ 1,100.00	\$ 100.00	\$ 1,100.00	\$ 200.00	\$ 2,200.00	\$ 41.04	\$ 455.54		
107-2	Mowing	7.23	AC	\$ 40.13	\$ 290.14	\$ 100.00	\$ 723.00	\$ 100.00	\$ 723.00	\$ 75.00	\$ 542.25	\$ 500.00	\$ 3,615.00	\$ 164.19	\$ 1,187.09		
110-1-1	Cleaning and Grubbing, 1.84 AC	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 23,000.00	\$ 23,000.00	\$ 27,500.00	\$ 27,500.00	\$ 6,000.00	\$ 6,000.00	\$ 10,000.00	\$ 10,000.00	\$ 3,767.59	\$ 3,767.59		
110-4	Removal of Existing Concrete Pavement	148	BY	\$ 20.00	\$ 2,960.00	\$ 15.00	\$ 2,220.00	\$ 30.00	\$ 4,440.00	\$ 20.00	\$ 2,960.00	\$ 20.00	\$ 2,960.00	\$ 10.39	\$ 1,537.72		
110-7-1	Mailbox, F&I, Single	5	EA	\$ 156.55	\$ 782.75	\$ 150.00	\$ 750.00	\$ 200.00	\$ 1,000.00	\$ 150.00	\$ 750.00	\$ 150.00	\$ 750.00	\$ 206.56	\$ 1,032.80		
120-1	Regular Excavation	335	CY	\$ 6.60	\$ 2,177.50	\$ 24.00	\$ 8,040.00	\$ 12.00	\$ 4,020.00	\$ 40.00	\$ 13,400.00	\$ 10.00	\$ 3,350.00	\$ 29.48	\$ 9,875.80		
120-6	Embankment	738	CY	\$ 12.00	\$ 8,856.00	\$ 16.00	\$ 11,776.00	\$ 9.00	\$ 6,624.00	\$ 45.00	\$ 33,120.00	\$ 12.00	\$ 8,832.00	\$ 34.15	\$ 25,134.40		
160-4	Type B Stabilization	3121	BY	\$ 3.43	\$ 10,705.03	\$ 15.00	\$ 46,815.00	\$ 5.00	\$ 15,605.00	\$ 12.00	\$ 37,452.00	\$ 15.00	\$ 46,815.00	\$ 17.54	\$ 54,742.34		
286-1	Turnout Construction	262.1	BY	\$ 31.63	\$ 8,290.22	\$ 62.00	\$ 16,250.20	\$ 50.00	\$ 13,105.00	\$ 30.00	\$ 7,863.00	\$ 65.00	\$ 17,038.50	\$ 55.82	\$ 14,630.42		
334-1-13	Superpave Asphaltic Concrete, Traffic C, 1"	14.6	TN	\$ 200.00	\$ 2,920.00	\$ 380.00	\$ 5,548.00	\$ 500.00	\$ 7,300.00	\$ 305.00	\$ 4,380.00	\$ 250.00	\$ 3,650.00	\$ 257.20	\$ 3,755.12		
400-1-2	Concrete Class I, Enewalls	3.26	CY	\$ 1,250.00	\$ 4,075.00	\$ 1,300.00	\$ 4,238.00	\$ 1,250.00	\$ 4,075.00	\$ 700.00	\$ 2,282.00	\$ 850.00	\$ 2,771.00	\$ 1,205.03	\$ 3,930.35		
425-1-525	Inlets, Ditch Bottom, Type C, Partial	1	EA	\$ 2,844.09	\$ 2,844.09	\$ 1,800.00	\$ 1,800.00	\$ 2,000.00	\$ 2,000.00	\$ 3,000.00	\$ 3,000.00	\$ 2,500.00	\$ 2,500.00	\$ 3,978.00	\$ 3,978.00		
425-1-531	Inlets, Ditch Bottom, Type C Modified-Back of Sidewalk, <10	5	EA	\$ 2,540.96	\$ 12,704.80	\$ 3,200.00	\$ 16,000.00	\$ 2,500.00	\$ 12,500.00	\$ 4,000.00	\$ 20,000.00	\$ 1,500.00	\$ 7,500.00	\$ 4,420.67	\$ 22,103.35		
425-5	Manhole, Adjust	2	EA	\$ 528.64	\$ 1,057.28	\$ 350.00	\$ 700.00	\$ 1,000.00	\$ 2,000.00	\$ 300.00	\$ 600.00	\$ 1,000.00	\$ 2,000.00	\$ 387.38	\$ 774.76		
425-6	Valve Boxes, Adjust	6	EA	\$ 434.98	\$ 2,609.88	\$ 90.00	\$ 540.00	\$ 900.00	\$ 3,000.00	\$ 150.00	\$ 900.00	\$ 150.00	\$ 900.00	\$ 193.69	\$ 1,162.14		
430-175-115	Pipe Culvert optional Material, Round, 15" ØICD	190	LF	\$ 67.93	\$ 12,906.70	\$ 85.00	\$ 17,100.00	\$ 50.00	\$ 9,500.00	\$ 78.00	\$ 14,220.00	\$ 85.00	\$ 15,300.00	\$ 72.33	\$ 13,919.40		
430-175-130	Pipe Culvert optional Material, Round, 30" ØICD	3	LF	\$ 120.00	\$ 360.00	\$ 650.00	\$ 1,950.00	\$ 600.00	\$ 1,800.00	\$ 175.00	\$ 525.00	\$ 500.00	\$ 1,500.00	\$ 144.68	\$ 434.04		
515-1-2	Pipe Handrail-Guidrail, Aluminum	91	LF	\$ 34.87	\$ 3,173.17	\$ 50.00	\$ 4,550.00	\$ 100.00	\$ 9,100.00	\$ 78.00	\$ 7,188.00	\$ 135.00	\$ 12,285.00	\$ 136.29	\$ 12,402.39		
520-1-10	Concrete Curb & Gutter, Type F	122	LF	\$ 18.15	\$ 2,214.30	\$ 24.00	\$ 2,928.00	\$ 25.00	\$ 3,050.00	\$ 28.00	\$ 3,416.00	\$ 30.00	\$ 3,660.00	\$ 38.58	\$ 4,706.76		
522-1	Concrete Sidewalk, 4" Thick	1982	BY	\$ 40.00	\$ 79,200.00	\$ 34.00	\$ 67,388.00	\$ 42.00	\$ 83,244.00	\$ 39.00	\$ 77,298.00	\$ 40.00	\$ 79,200.00	\$ 38.87	\$ 77,040.34		
522-2	Concrete Sidewalk, 8" Thick	396	BY	\$ 50.00	\$ 19,800.00	\$ 50.00	\$ 19,800.00	\$ 58.00	\$ 22,776.00	\$ 45.00	\$ 17,820.00	\$ 45.00	\$ 17,820.00	\$ 49.36	\$ 19,546.56		
527-2	Detachable Warnings	57	SF	\$ 28.67	\$ 1,634.19	\$ 28.00	\$ 1,596.00	\$ 40.00	\$ 2,280.00	\$ 35.00	\$ 2,025.00	\$ 50.00	\$ 2,850.00	\$ 51.84	\$ 2,954.88		
530-3-4	Risrap-Rubble, Ditch Lining	4.1	TN	\$ 105.16	\$ 431.24	\$ 70.00	\$ 287.00	\$ 400.00	\$ 1,640.00	\$ 225.00	\$ 922.50	\$ 250.00	\$ 1,025.00	\$ 168.40	\$ 690.44		
530-74	Bedding Stone	2.9	TN	\$ 64.22	\$ 186.24	\$ 80.00	\$ 232.00	\$ 300.00	\$ 870.00	\$ 125.00	\$ 362.50	\$ 350.00	\$ 1,015.00	\$ 181.38	\$ 526.00		
536-1-1	Guardrail-Roadway	5.3	LF	\$ 19.00	\$ 1,007.00	\$ 60.00	\$ 3,180.00	\$ 80.00	\$ 4,240.00	\$ 125.00	\$ 6,625.00	\$ 125.00	\$ 6,625.00	\$ 17.72	\$ 938.16		
536-73	Guardrail Removal	67	LF	\$ 1.61	\$ 107.87	\$ 6.00	\$ 402.00	\$ 20.00	\$ 1,340.00	\$ 50.00	\$ 3,350.00	\$ 50.00	\$ 3,350.00	\$ 5.70	\$ 381.90		
536-85-24	Guardrail End Anchorage Assembly-Type Parallel	1	EA	\$ 2,560.96	\$ 2,560.96	\$ 1,800.00	\$ 1,800.00	\$ 4,500.00	\$ 4,500.00	\$ 2,000.00	\$ 2,000.00	\$ 2,500.00	\$ 2,500.00	\$ 2,807.02	\$ 2,807.02		
570-1-2	Performance Turf, Sod	6601	SY	\$ 2.27	\$ 14,984.27	\$ 2.40	\$ 15,844.40	\$ 3.50	\$ 23,103.50	\$ 6.00	\$ 39,606.00	\$ 4.00	\$ 26,404.00	\$ 4.34	\$ 28,648.34		
654-2-21	Rectangular Rapid Flashing Beacon, F&I, Solar Powered, Complete Assembly, Single Direction	2	AS	\$ 4,418.09	\$ 8,837.38	\$ 6,000.00	\$ 12,000.00	\$ 5,000.00	\$ 10,000.00	\$ 7,000.00	\$ 14,000.00	\$ 3,500.00	\$ 7,000.00	\$ 10,848.55	\$ 21,697.10		
700-1-11	Single Post Sign, F&I Ground Mount, Up to 12 SF	7	AS	\$ 318.89	\$ 2,232.23	\$ 350.00	\$ 2,450.00	\$ 500.00	\$ 3,500.00	\$ 500.00	\$ 3,500.00	\$ 350.00	\$ 2,450.00	\$ 422.02	\$ 2,954.14		
700-1-60	Single Post Sign, Remove	1	AS	\$ 199.00	\$ 199.00	\$ 110.00	\$ 110.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 150.00	\$ 150.00	\$ 176.83	\$ 176.83		
700-10-2	Object Marker, Type 2	5	AS	\$ 16.64	\$ 83.20	\$ 50.00	\$ 250.00	\$ 100.00	\$ 500.00	\$ 20.00	\$ 100.00	\$ 100.00	\$ 500.00	\$ 48.22	\$ 241.10		
705-10-2	Object Marker, Type 2	1	EA	\$ 63.04	\$ 63.04	\$ 140.00	\$ 140.00	\$ 100.00	\$ 100.00	\$ 150.00	\$ 150.00	\$ 500.00	\$ 500.00	\$ 195.90	\$ 195.90		
711-11-123	Thermoplastic, Standard, White, Solid, 12"	153	LF	\$ 2.38	\$ 364.14	\$ 8.00	\$ 1,224.00	\$ 5.00	\$ 765.00	\$ 16.00	\$ 2,754.00	\$ 10.00	\$ 1,530.00	\$ 12.86	\$ 1,967.58		
711-11-125	Thermoplastic, Standard, White, Solid, 24"	50	LF	\$ 4.30	\$ 215.00	\$ 10.00	\$ 500.00	\$ 10.00	\$ 500.00	\$ 44.00	\$ 2,200.00	\$ 10.00	\$ 500.00	\$ 25.72	\$ 1,286.00		
TOTAL BID AMOUNT				\$	296,426.01	\$	361,432.60	\$	344,700.00	\$	426,732.75	\$	391,706.00	\$	424,644.25		
							SUBMITTED BID TOTAL	\$	361,432.60		SUBMITTED BID TOTAL	\$	391,706.00		SUBMITTED BID TOTAL	\$	418,857.83
																	DIFFERENCE DUE TO QTY. ERROR ON 430-175-115

I certify this to be a true and accurate Bid Tabulation of bids received at 10:00 A.M., September 12, 2016 for the Town of Lady Lake Villages Elementary, Safe Routes to School Project, Bid No. 2016-0003



EXHIBIT B
Town of Lady Lake, Florida
Villages Elementary Safe Routes To School Project
FPN: 433200-1-58-01, FAN: SRTS 329A
Comparison of Low Bid to Engineer's Estimate

		ENGINEER'S ESTIMATE		Hartman Civil Construction Co., Inc. 7379 N. Hibiscus// Terrace Hernando, FL 34442				EVALUATION COMMENTS		
				BID		Deviation from Engineer's Estimate				
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	\$	%	
101-1	Mobilization	1	LB	\$ 24,702.17	\$ 24,702.17	\$ 15,000.00	\$ 15,000.00	\$ (9,702.17)	61%	Contractor's unit cost is 4.3% of overall total bid. Engineer's estimate is 8.3%. Due to the level of complexity, construction time and manpower required for this project mobilization cost should be less than typical.
102-1	Maintenance of Traffic	1	LB	\$ 24,702.17	\$ 24,702.17	\$ 14,168.50	\$ 14,168.50	\$ (10,533.67)	57%	Contractor's unit cost is 4.1% of overall total bid. Engineer's estimate is 8.3%. The Standard indexes are being utilized for this project which is less than 1 mile in length with posted speeds of 30 mph and 35 mph. Due to the level of complexity, construction time and MOT devices required for this project MOT cost should be less than typical.
102-3	Commercial Material For Driveway Maintenance	197	CY	\$ 33.96	\$ 6,688.10	\$ 30.00	\$ 5,910.00	\$ (778.10)	86%	
102-40	Work Zone Signs, 100 Days	1400	ED	\$ 0.27	\$ 378.00	\$ 1.00	\$ 1,400.00	\$ 1,022.00	370%	Contractor's unit cost is substantially high. The Engineer's price matches FDOT Item Average Unit Cost, however due to the small number of signs and construction time, a higher unit price is reasonable based on the scope. The average price between all 5 bids is \$0.70 per ED
102-74-1	Channelizing Device (Type I, II, DL, VP, Drum, or LCD), 100 Days	7950	ED	\$ 0.14	\$ 1,108.00	\$ 0.28	\$ 1,910.00	\$ 802.00	179%	Contractor's unit cost is high, however due to the small number of devices and construction time, a higher unit price is reasonable based on the scope.
102-99	Portable Changeable Message Sign, Temporary, 100 Days	400	ED	\$ 15.47	\$ 6,188.00	\$ 20.00	\$ 8,000.00	\$ 1,812.00	100%	Contractor's unit cost is high, however due to the small number of devices and construction time, a higher unit price is reasonable based on the scope and current market conditions.
104-10-3	Sediment Barrier	4003	LF	\$ 1.52	\$ 6,084.56	\$ 2.00	\$ 8,006.00	\$ 1,921.44	132%	Contractor's unit cost is high, however is reasonable based on the scope.
104-18	Inlet Protection System	11	EA	\$ 99.17	\$ 1,090.87	\$ 300.00	\$ 3,300.00	\$ 2,209.13	302%	Contractor's unit cost is high, however due to the small number of inlets on the entire project and construction time, a higher unit price is reasonable based on the scope and current market conditions.
107-1	Litter Removal and Disposal	11.10	AC	\$ 25.07	\$ 278.28	\$ 100.00	\$ 1,110.00	\$ 831.72	369%	Engineer's estimate is low. The average price between the 5 submitted bids is \$98.21 per AC. Based on the scope of work and current market conditions, the submitted contractor's unit price of \$100 per AC is reasonable.
107-2	Mowing	7.23	AC	\$ 40.15	\$ 290.14	\$ 100.00	\$ 723.00	\$ 432.86	249%	Engineer's estimate is low. The average price between the 5 submitted bids is \$167.84 per AC. Based on the scope of work and current market conditions, the submitted contractor's unit price of \$100 per AC is reasonable.
110-1-1	Clearing and Grubbing, 1.94 AC	1	LB	\$ 15,000.00	\$ 15,000.00	\$ 27,500.00	\$ 27,500.00	\$ 12,500.00	183%	Engineer's estimate is low. Unit prices on similar projects in DS and FDOT's Item Average Unit Cost for 2016 are in the \$12,000 - \$13,000 range. The Contractor's unit price for this item is reasonable.
110-4	Removal of Existing Concrete Pavement	148	SY	\$ 20.00	\$ 2,960.00	\$ 30.00	\$ 4,440.00	\$ 1,480.00	160%	Contractor's unit price is high, however due to the small quantity on the entire project and construction time, a higher unit price is reasonable based on the scope and current market conditions.
110-7-1	Mailbox, F&I, Single	5	EA	\$ 168.65	\$ 792.75	\$ 200.00	\$ 1,000.00	\$ 217.25	108%	Contractor's unit price is high, however due to the small number of mailboxes on the entire project, a higher unit price is reasonable based on the scope and current market conditions.
120-1	Regular Excavation	335	CY	\$ 8.50	\$ 2,847.50	\$ 12.00	\$ 4,020.00	\$ 1,172.50	185%	Engineer's estimate is low. The average price between all 5 bids is \$23.10 per CY. The contractor's price of \$12 per CY is reasonable based on current market conditions.
120-6	Embankment	736	CY	\$ 12.00	\$ 8,832.00	\$ 9.00	\$ 6,624.00	\$ (2,208.00)	75%	
160-4	Type B Stabilization	3121	SY	\$ 3.43	\$ 10,705.03	\$ 5.00	\$ 15,605.00	\$ 4,899.97	146%	Contractor's unit price is high, however due to the quantity on the project, a higher unit price is reasonable based on the scope.
286-1	Turnout Construction	262.1	SY	\$ 31.63	\$ 8,290.22	\$ 65.00	\$ 13,136.50	\$ 4,846.28	158%	Contractor's unit price is high, however due to the quantity on the project, a higher unit price is reasonable based on the scope.
334-1-13	Superpave Asphaltic Concrete, Traffic C, 1"	14.8	TN	\$ 200.00	\$ 2,920.00	\$ 500.00	\$ 7,300.00	\$ 4,380.00	250%	Contractor's unit price is substantially high. The average price between all 5 submitted bids is \$337 per TN. A higher unit price is reasonable based on the quantity, scope and current market conditions.
400-1-3	Concrete Class I, Endwalls	3.28	CY	\$ 1,250.00	\$ 4,075.00	\$ 1,250.00	\$ 4,075.00	\$ -	100%	
426-1-026	Inlets, Ditch Bottom, Type C, Partial	1	EA	\$ 2,844.00	\$ 2,844.00	\$ 2,000.00	\$ 2,000.00	\$ (844.00)	70%	Engineer's estimate is high. The average price between all 5 bids is \$2,655.72 per EA, a lower unit price is reasonable.
426-1-331	Inlets, Ditch Bottom, Type C Modified-Back of Sidewalk, <10	5	EA	\$ 2,940.96	\$ 14,704.80	\$ 2,500.00	\$ 12,500.00	\$ (2,204.80)	93%	
426-5	Manhole, Adjust	2	EA	\$ 528.54	\$ 1,057.08	\$ 1,000.00	\$ 2,000.00	\$ 942.92	189%	Contractor's unit price is high, however due to the small quantity on the project, a higher unit price is reasonable based on current market conditions.
426-6	Valve Boxes, Adjust	6	EA	\$ 434.88	\$ 2,609.28	\$ 500.00	\$ 3,000.00	\$ 390.72	119%	
430-175-110	Pipe Culvert optional Material, Round, 15" B/C/D	180	LF	\$ 67.93	\$ 12,227.40	\$ 60.00	\$ 9,000.00	\$ (3,227.40)	74%	Engineer's estimate is high for this item, prices for this item on similar projects is \$60 per LF
430-175-130	Pipe Culvert optional Material, Round, 30" B/C/D	3	LF	\$ 120.00	\$ 360.00	\$ 600.00	\$ 1,800.00	\$ 1,440.00	600%	Engineer's estimate is low. The average unit price of the 5 submitted bids is \$413.94 per LF. Because of the small quantity of this item and current market conditions, a higher unit price for this work is reasonable.
516-1-2	Pipe Handrail-Guidesail, Aluminium	91	LF	\$ 34.87	\$ 3,173.17	\$ 100.00	\$ 9,100.00	\$ 5,926.83	387%	Engineer's estimate is low. The average unit price of the 5 submitted bids is \$100.06 per LF. Because of the small quantity of this item and current market conditions, a higher unit price for this work is reasonable.
520-1-10	Concrete Curb & Outer, Type F	122	LF	\$ 18.16	\$ 2,214.30	\$ 25.00	\$ 3,050.00	\$ 835.70	128%	Engineer's estimate is low. The average unit price of the 5 submitted bids is \$29.12 per LF
522-1	Concrete Sidewalk, 4" Thick	1682	SY	\$ 40.00	\$ 70,280.00	\$ 42.00	\$ 83,244.00	\$ 3,964.00	105%	
522-2	Concrete Sidewalk, 6" Thick	396	SY	\$ 50.00	\$ 19,800.00	\$ 66.00	\$ 22,176.00	\$ 2,376.00	112%	
527-2	Detectable Warnings	57	SF	\$ 28.67	\$ 1,634.19	\$ 40.00	\$ 2,280.00	\$ 645.81	140%	Engineer's estimate is low. The average unit price of the 5 submitted bids is \$41.17 per SF. Because of the quantity and current market conditions, a higher unit price is reasonable.
530-3-4	Riprap-Rubble, Ditch Lining	4.1	TN	\$ 105.10	\$ 431.24	\$ 400.00	\$ 1,640.00	\$ 1,208.76	380%	Engineer's estimate is low and the Contractor's unit price is substantially high, however, because of the small quantity of this item a higher unit price is reasonable.
530-74	Bedding Stone	2.9	TN	\$ 64.22	\$ 186.24	\$ 300.00	\$ 870.00	\$ 683.76	467%	Engineer's estimate is low. The average unit price of the 5 submitted bids is \$207.27. Because of the small quantity of this item, a higher unit price for this work is reasonable.
536-1-1	Guardrail-Roadway	53	LF	\$ 19.00	\$ 1,007.00	\$ 80.00	\$ 4,240.00	\$ 3,233.00	421%	Engineer's estimate is low. The average price of all 5 bids is \$81 per LF. Because of the small quantity and current market conditions, a higher unit price is reasonable.
536-73	Guardrail Removal	67	LF	\$ 1.61	\$ 107.87	\$ 20.00	\$ 1,340.00	\$ 1,232.13	1242%	Engineer's estimate is low. The average price per LF between all 5 bids is \$20.34. Because of the small quantity of this item and current market conditions, a higher unit price for this item is reasonable.
536-85-24	Guardrail End Anchorage Assembly-Type Parallel	1	EA	\$ 2,560.96	\$ 2,560.96	\$ 4,500.00	\$ 4,500.00	\$ 1,939.04	176%	Engineer's estimate is low, contractor's unit price is high. FDOT's Item Average Unit Cost for 2016 is \$2,854 EA and all 4 other bids are close to the engineer's estimate
570-1-2	Performance Turf, Sod	8601	SY	\$ 2.27	\$ 14,884.27	\$ 3.50	\$ 23,103.50	\$ 8,219.23	153%	Engineer's estimate is low. The average price per SY between all 5 bids is \$4.05. The contractor's price of \$3.50 is reasonable.
654-2-21	Rectangular Rapid Flashing Beacon, F&I, Solar Powered, Complete Assembly, Single Direction	2	AS	\$ 4,418.69	\$ 8,837.38	\$ 5,000.00	\$ 10,000.00	\$ 1,162.62	113%	
700-1-11	Single Post Sign, F&I Round Mount, Up to 12 SF	7	AS	\$ 318.69	\$ 2,230.83	\$ 500.00	\$ 3,500.00	\$ 1,269.17	167%	Engineer's estimate is low. The average price between all 5 bids is \$424.04. The contractor's price of \$500 is high, however, because of the small quantity of this item, a higher unit price is reasonable.
700-1-30	Single Post Sign, Retocate	1	AS	\$ 199.09	\$ 199.09	\$ 200.00	\$ 200.00	\$ 0.91	100%	
700-1-80	Single Post Sign, Remove	5	AS	\$ 16.64	\$ 83.20	\$ 100.00	\$ 500.00	\$ 416.80	621%	Engineer's estimate is low. The average price between all 5 bids is \$63.64. The contractor's price of \$100 is high, however, because of the small quantity of this item, a higher unit price is reasonable.
705-10-2	Object Marker, Type 2	1	EA	\$ 63.04	\$ 63.04	\$ 100.00	\$ 100.00	\$ 36.96	160%	Engineer's estimate is low. The average price between the 5 submitted bids is \$217.19. Because of the small quantity for this item, the contractor's submitted unit price of \$100 is reasonable.
711-11-123	Thermoplastic, Standard, White, Solid, 12"	153	LF	\$ 2.38	\$ 364.14	\$ 5.00	\$ 765.00	\$ 400.86	210%	Engineer's estimate is low. The average price between the 5 submitted bids is \$10.77 LF. Based on the scope of work and current market conditions, the submitted contractor's unit price of \$5 per LF is reasonable.
711-11-125	Thermoplastic, Standard, White, Solid, 24"	50	LF	\$ 4.30	\$ 215.00	\$ 10.00	\$ 500.00	\$ 285.00	233%	Engineer's estimate is low. The average price between the 5 submitted bids is \$19.94 LF. Based on the scope of work and current market conditions, the submitted contractor's unit price of \$10 per LF is reasonable.
TOTAL BID AMOUNT				\$	296,426.01	\$	344,700.00		116%	
						SUBMITTED BID TOTAL	\$ 343,700.00			
						DIFFERENCE DUE TO QTY. ERROR ON 430-175-115				

EXHIBIT B
Town of Lady Lake, Florida
Villages Elementary Safe Routes To School Project
FPN: 433200-1-58-01, FAN: SRTS 329A
Comparison of Low Bid to Engineer's Estimate

				ENGINEER'S ESTIMATE		Hartman Civil Construction Co., Inc. 7379 N. Hippocrite Terrace Hernando, FL 34442				EVALUATION COMMENTS
						BID		Deviation from Engineer's Estimate		
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	\$	%	
101-1	Mobilization	1	LS	\$ 24,702.17	\$ 24,702.17	\$ 15,000.00	\$ 15,000.00	\$ (9,702.17)	61%	Contractor's unit cost is 4.3% of overall total bid. Engineer's estimate is 8.3%. Due to the level of complexity, construction time and manpower required for this project mobilization cost should be less than typical.
102-1	Maintenance of Traffic	1	LS	\$ 24,702.17	\$ 24,702.17	\$ 14,198.50	\$ 14,198.50	\$ (10,503.67)	57%	Contractor's unit cost is 4.1% of overall total bid. Engineer's estimate is 8.3%. The Standard Indexes are being utilized for this project which is less than 1 mile in length with posted speeds of 30 mph and 35 mph. Due to the level of complexity, construction time and MOT devices required for this project MOT cost should be less than typical.
102-3	Commercial Material For Divergency Maintenance	197	CY	\$ 33.95	\$ 6,668.15	\$ 30.00	\$ 5,910.00	\$ (778.15)	88%	
102-40	Work Zone Signs, 100 Days	1400	ED	\$ 0.27	\$ 378.00	\$ 1.00	\$ 1,400.00	\$ 1,022.00	370%	Contractor's unit cost is substantially high. The Engineer's price matches FDOT Item Average Unit Cost, however due to the small number of signs and construction time, a higher unit price is reasonable based on the scope. The average price between all 5 bids is \$0.70 per ED
102-74-1	Channelizing Device (Types I, II, DI, VP, Drum, or LCD), 100 Days	7900	ED	\$ 0.14	\$ 1,106.00	\$ 0.23	\$ 1,975.00	\$ 869.00	179%	Contractor's unit cost is high, however due to the small number of devices and construction time, a higher unit price is reasonable based on the scope.
102-99	Portable Changeable Message Sign, Temporary, 100 Days	400	ED	\$ 15.47	\$ 6,188.00	\$ 20.00	\$ 8,000.00	\$ 1,812.00	129%	Contractor's unit cost is high, however due to the small number of devices and construction time, a higher unit price is reasonable based on the scope and current market conditions.
104-10-3	Sediment Barrier	4003	LF	\$ 1.52	\$ 6,094.56	\$ 2.50	\$ 8,006.50	\$ 1,921.44	132%	Contractor's unit cost is high, however is reasonable based on the scope.
104-18	Inlet Protection System	11	EA	\$ 99.17	\$ 1,090.87	\$ 300.00	\$ 3,300.00	\$ 2,209.13	303%	Contractor's unit cost is high, however due to the small number of inlets on the entire project and construction time, a higher unit price is reasonable based on the scope and current market conditions.
107-1	Litter Removal and Disposal	11.10	AC	\$ 25.07	\$ 278.28	\$ 100.00	\$ 1,110.00	\$ 831.72	399%	Engineer's estimate is low. The average price between the 5 submitted bids is \$98.21 per AC. Based on the scope of work and current market conditions, the submitted contractor's unit price of \$100 per AC is reasonable.
107-2	Mowing	7.23	AC	\$ 40.13	\$ 290.14	\$ 100.00	\$ 723.00	\$ 432.86	249%	Engineer's estimate is low. The average price between the 5 submitted bids is \$187.84 per AC. Based on the scope of work and current market conditions, the submitted contractor's unit price of \$100 per AC is reasonable.
110-1-1	Clearing and Grubbing, 1.84 AC	1	LS	\$ 19,000.00	\$ 19,000.00	\$ 27,500.00	\$ 27,500.00	\$ 12,500.00	183%	Engineer's estimate is low. Unit prices on similar projects in D5 and FDOT's Item Average Unit Cost for 2016 are in the \$12,000 - \$13,000 range. The Contractor's unit price for this item is reasonable.
110-4	Removal of Existing Concrete Pavement	148	SY	\$ 20.00	\$ 2,960.00	\$ 30.00	\$ 4,440.00	\$ 1,480.00	150%	Contractor's unit price is high, however due to the small quantity on the entire project and construction time, a higher unit price is reasonable based on the scope and current market conditions.
110-7-1	Mailbox, F&I, Single	5	EA	\$ 156.55	\$ 782.75	\$ 200.00	\$ 1,000.00	\$ 217.25	123%	Contractor's unit price is high, however due to the small number of mailboxes on the entire project, a higher unit price is reasonable based on the scope and current market conditions.
120-1	Regular Excavation	335	CY	\$ 6.50	\$ 2,177.50	\$ 12.00	\$ 4,020.00	\$ 1,842.50	180%	Engineer's estimate is low. The average price between all 5 bids is \$23.10 per CY. The contractor's price of \$12 per CY is reasonable based on current market conditions.
120-6	Embankment	736	CY	\$ 12.00	\$ 8,832.00	\$ 9.00	\$ 6,624.00	\$ (2,208.00)	75%	
160-4	Type B Stabilization	3121	SY	\$ 3.43	\$ 10,705.03	\$ 5.00	\$ 15,605.00	\$ 4,899.97	146%	Contractor's unit price is high, however due to the quantity on the project, a higher unit price is reasonable based on the scope.
286-1	Turmoil Construction	282.1	SY	\$ 31.63	\$ 8,950.22	\$ 50.00	\$ 13,105.00	\$ 4,154.78	198%	Contractor's unit price is high, however due to the quantity on the project, a higher unit price is reasonable based on the scope.
334-1-13	Superpave Asphaltic Concrete, Traffic C, 1"	14.6	TN	\$ 200.00	\$ 2,920.00	\$ 500.00	\$ 7,300.00	\$ 4,380.00	250%	Contractor's unit price is substantially high. The average price between all 5 submitted bids is \$337 per TN. A higher unit price is reasonable based on the quantity, scope and current market conditions.
405-1-2	Concrete Class I, Entravels	3.26	CY	\$ 1,250.00	\$ 4,075.00	\$ 1,250.00	\$ 4,075.00	\$ -	100%	
426-1-525	Inlets, Ditch Bottom, Type C, Partial	1	EA	\$ 2,844.09	\$ 2,844.09	\$ 2,000.00	\$ 2,000.00	\$ (844.09)	70%	Engineer's estimate is high. The average price between all 5 bids is \$2,655.72 per EA, a lower unit price is reasonable.
426-1-531	Inlets, Ditch Bottom, Type C Modified-Back of Sidewalk, <10	5	EA	\$ 2,540.96	\$ 12,704.80	\$ 2,500.00	\$ 12,500.00	\$ (204.80)	98%	
426-5	Manhole, Adjust	2	EA	\$ 528.54	\$ 1,057.08	\$ 1,000.00	\$ 2,000.00	\$ 942.82	189%	Contractor's unit price is high, however due to the small quantity on the project, a higher unit price is reasonable based on current market conditions.
426-6	Valve Boxes, Adjust	6	EA	\$ 424.98	\$ 2,549.88	\$ 500.00	\$ 3,000.00	\$ 390.12	119%	
430-175-115	Pipe Culvert optional Material, Round, 18" Ø/C/D	180	LF	\$ 67.93	\$ 12,227.40	\$ 50.00	\$ 9,000.00	\$ (3,227.40)	74%	Engineer's estimate is high for this item, prices for this item on similar projects is \$60 per LF
430-175-130	Pipe Culvert optional Material, Round, 30" Ø/C/D	3	LF	\$ 120.00	\$ 360.00	\$ 800.00	\$ 1,800.00	\$ 1,440.00	1500%	Engineer's estimate is low. The average unit price of the 5 submitted bids is \$413.94 per LF. Because of the small quantity of this item and current market conditions, a higher unit price for this work is reasonable.
515-1-2	Pipe Handrail/Guidrail, Aluminum	91	LF	\$ 34.87	\$ 3,173.17	\$ 100.00	\$ 9,100.00	\$ 5,926.83	287%	Engineer's estimate is low. The average unit price of the 5 submitted bids is \$100.06 per LF. Because of the small quantity of this item and current market conditions, a higher unit price for this work is reasonable.
520-1-10	Concrete Curb & Gutter, Type F	122	LF	\$ 18.16	\$ 2,214.30	\$ 25.00	\$ 3,050.00	\$ 835.70	138%	Engineer's estimate is low. The average unit price of the 5 submitted bids is \$29.12 per LF
521-1	Concrete Sidewalk, 4" Thick	1982	SY	\$ 40.00	\$ 79,280.00	\$ 42.00	\$ 83,244.00	\$ 3,964.00	105%	
522-2	Concrete Sidewalk, 6" Thick	396	SY	\$ 50.00	\$ 19,800.00	\$ 56.00	\$ 22,176.00	\$ 2,376.00	112%	
527-2	Detectable Warnings	57	SF	\$ 28.87	\$ 1,634.19	\$ 40.00	\$ 2,280.00	\$ 645.81	140%	Engineer's estimate is low. The average unit price of the 5 submitted bids is \$41.17 per SF. Because of the quantity and current market conditions, a higher unit price is reasonable.
530-3-4	Riprap/Rubble, Ditch Lining	4.1	TN	\$ 105.18	\$ 431.24	\$ 400.00	\$ 1,640.00	\$ 1,208.76	380%	Engineer's estimate is low and the Contractor's unit price is substantially high, however, because of the small quantity of this item a higher unit price is reasonable.
530-7-4	Bedding Stone	2.9	TN	\$ 64.22	\$ 186.24	\$ 300.00	\$ 870.00	\$ 683.76	467%	Engineer's estimate is low. The average unit price of the 5 submitted bids is \$207.27. Because of the small quantity of this item, a higher unit price for this work is reasonable.
536-1-1	Guardrail-Roadway	53	LF	\$ 19.00	\$ 1,007.00	\$ 80.00	\$ 4,240.00	\$ 3,233.00	421%	Engineer's estimate is low. The average price of all 5 bids is \$81 per LF. Because of the small quantity and current market conditions, a higher unit price is reasonable.
536-7-3	Guardrail Removal	67	LF	\$ 1.81	\$ 120.87	\$ 20.00	\$ 1,340.00	\$ 1,221.13	1240%	Engineer's estimate is low. The average price per LF between all 5 bids is \$26.34. Because of the small quantity of this item and current market conditions, a higher unit price for this item is reasonable.
536-85-24	Guardrail End Anchorage Assembly-Type Parallel	1	EA	\$ 2,650.96	\$ 2,650.96	\$ 4,000.00	\$ 4,000.00	\$ 1,349.04	176%	Engineer's estimate is low, contractor's unit price is high. FDOT's Item Average Unit Cost for 2016 is \$2,854 EA and all 4 other bids are close to the engineer's estimate
570-1-2	Performance Turf Sod	6601	SY	\$ 2.27	\$ 14,984.27	\$ 3.50	\$ 23,103.50	\$ 8,119.23	154%	Engineer's estimate is low. The average price per SY between all 5 bids is \$4.05. The contractor's price of \$3.50 is reasonable.
604-2-21	Rectangular Rapid Flashing Beacon, F&I, Solar Powered, Complete Assembly, Single Direction	2	AS	\$ 4,416.89	\$ 8,833.78	\$ 5,000.00	\$ 10,000.00	\$ 1,166.22	113%	
700-1-11	Single Post Sign, F&I Ground Mount, Up to 12 SF	7	AS	\$ 315.89	\$ 2,211.23	\$ 500.00	\$ 3,500.00	\$ 1,288.77	157%	Engineer's estimate is low. The average price between all 5 bids is \$424.04. The contractor's price of \$500 is high, however, because of the small quantity of this item, a higher unit price is reasonable.
700-1-50	Single Post Sign, Relocate	1	AS	\$ 199.09	\$ 199.09	\$ 200.00	\$ 200.00	\$ 0.91	100%	
700-1-80	Single Post Sign, Remove	5	AS	\$ 16.84	\$ 83.20	\$ 100.00	\$ 500.00	\$ 416.80	607%	Engineer's estimate is low. The average price between all 5 bids is \$63.64. The contractor's price of \$100 is high, however, because of the small quantity of this item, a higher unit price is reasonable.
700-10-2	Object Marker, Type 2	1	EA	\$ 63.04	\$ 63.04	\$ 100.00	\$ 100.00	\$ 36.96	159%	Engineer's estimate is low. The average price between the 5 submitted bids is \$217.19. Because of the small quantity for this item, the contractor's submitted unit price of \$100 is reasonable.
711-11-123	Thermoplastic, Standard, White, Solid, 12"	163	LF	\$ 2.38	\$ 386.14	\$ 5.00	\$ 785.00	\$ 400.86	210%	Engineer's estimate is low. The average price between the 5 submitted bids is \$10.77 LF. Based on the scope of work and current market conditions, the submitted contractor's unit price of \$5 per LF is reasonable.
711-11-125	Thermoplastic, Standard, White, Solid, 24"	50	LF	\$ 4.30	\$ 215.00	\$ 10.00	\$ 500.00	\$ 285.00	233%	Engineer's estimate is low. The average price between the 5 submitted bids is \$19.94 LF. Based on the scope of work and current market conditions, the submitted contractor's unit price of \$10 per LF is reasonable.
TOTAL BID AMOUNT				\$	296,426.01	\$	344,700.00		116%	

SUBMITTED BID TOTAL \$ 343,700.00
DIFFERENCE DUE TO QTY. ERROR ON 430-175-115

COPY

OFFICIAL BID FORM FOR

LOCAL AGENCY PROGRAM (LAP)

VILLAGES ELEMENTARY SAFE ROUTES TO SCHOOL PROJECT

BID NO.: 2016-0003

FPN: 433200-1-58-01

FAN: SRTS 329 A

Mail or Hand Deliver

ORIGINAL BID FORM (MARKED "ORIGINAL") & THREE (3) COMPLETE COPIES

By 10:00 AM, September 12, 2016

To:

TOWN CLERK
TOWN OF LADY LAKE
409 Fennell Boulevard
Lady Lake, Florida 32159

Bid Opening:

September 12, 2016
10:00 AM

Town of Lady Lake
Town Council Chambers
Lady Lake, Florida 32159

Hartman Civil Construction Co., Inc.
COMPANY NAME

7379 N. Whippoorwill Terr.
COMPLETE MAILING ADDRESS

Hernando, FL 34471
CITY, COUNTY, STATE, ZIP CODE

office: (352) 489-5559 fax: (844) 270-4832
TELEPHONE NUMBER & FAX NUMBER

Michael A. Hartman
CONTACT PERSON

BID PROPOSAL FORM

Local Agency Program (LAP) Sidewalk Improvements Project

Town of Lady Lake, FL

Oak Street From Clay Avenue to CR 25

CR 25 From Oak Street to Fennel Boulevard

FPN 433200-1-58-01

FAN: SRTS 329 A

Bidder is to understand that the total bid price is based on the estimated quantities and will control in awarding the Contract as provided in Instructions to Bidders. It is further understood that the quantities stated in the Schedule of Bid Prices for various items are estimated only and may be increased or decreased as provided in the Contract.

FPN 433200-1-58-01 Quantity Price of Bid					
ITEM	DESCRIPTION		QTY	UNIT PRICE	TOTAL
101-1	MOBILIZATION	LS	1	\$ 15,000.00	\$ 15,000.00
102-1	MAINTENANCE OF TRAFFIC	LS	1	\$ 14,198.50	\$ 14,198.50
102-3	COMMERCIAL MATERIAL FOR DRIVEWAY MAINTENANCE	CY	197	\$ 30.00	\$ 5,910.00
102-60	WORK ZONE SIGNS, 100 DAYS	ED	1,400	\$ 1.00	\$ 1,400.00
102-74-1	CHANNELIZING DEVICE (TYPES I,II,DI,VP,DRUM, OR LCD). 100 DAYS	ED	7,900	\$ 0.25	\$ 1,975.00
102-99	PORTABLE CHANGEABLE MESSAGE SIGN. TEMPORARY. 100 DAYS	ED	400	\$ 20.00	\$ 8,000.00
104-10-3	SEDIMENT BARRIER	LF	4,003	\$ 2.00	\$ 8,006.00
104-18	INLET PROTECTION SYSTEM	EA	11	\$ 300.00	\$ 3,300.00
107-1	LITTER REMOVAL AND DISPOSAL	AC	11.1	\$ 100.00	\$ 1,110.00
107-2	MOWING	AC	7.23	\$ 100.00	\$ 723.00
110-1-1	CLEARING AND GRUBBING, 1.94 AC	LS	1	\$ 27,500.00	\$ 27,500.00
110-4	REMOVAL OF EXISTING CONCRETE PAVEMENT	SY	148	\$ 30.00	\$ 4,440.00
110-7-1	MAILBOX, F&I, SINGLE	EA	5	\$ 200.00	\$ 1,000.00
120-1	REGULAR EXCAVATION	CY	335	\$ 12.00	\$ 4,020.00
120-6	EMBANKMENT	CY	736	\$ 9.00	\$ 6,624.00
160-4	TYPE B STABILIZATION	SY	3,121	\$ 5.00	\$ 15,605.00
286-1	TURNOUT CONSTRUCTION	SY	262.1	\$ 50.00	\$ 13,105.00
334-1-13	SUPERPAVE ASPHALTIC CONCRETE, TRAFFIC C, 1"	TN	14.6	\$ 500.00	\$ 7,300.00
400-1-2	CONCRETE CLASS I, ENDWALLS	CY	3.26	\$ 1,250.00	\$ 4,075.00
425-1-525	INLETS, DITCH BOTTOM, TYPE C, PARTIAL	EA	1	\$ 2,000.00	\$ 2,000.00
425-1-531	INLETS DITCH BOTTOM, TYPE C MODIFIED-BACK OF SIDEWALK	EA	5	\$ 2,500.00	\$ 12,500.00
425-5	MANHOLE, ADJUST	EA	2	\$ 1,000.00	\$ 2,000.00
425-6	VALVE BOXES, ADJUST	EA	6	\$ 500.00	\$ 3,000.00
430-175-115	PIPE CULVERT OPTIONAL MATERIAL, ROUND, 15" S/CD	LF	160	\$ 50.00	\$ 8,000.00
430-175-130	PIPE CULVERT OPTIONAL MATERIAL, ROUND, 30" S/CD	LF	3	\$ 600.00	\$ 1,800.00
515-1-2	PIPE HANDRAIL- GUIDERAIL, ALUMINUM	LF	91	\$ 100.00	\$ 9,100.00
520-1-10	CONCRETE CURB AND GUTTER, TYPE F	LF	122	\$ 25.00	\$ 3,050.00
522-1	CONCRETE SIDEWALK, 4" THICK	SY	1,982	\$ 42.00	\$ 83,244.00
522-2	CONCRETE SIDEWALK, 6" THICK	SY	396	\$ 56.00	\$ 22,176.00
527-2	DETECTABLE WARNINGS	SF	57	\$ 40.00	\$ 2,280.00
530-3-4	RIPRAP- RUBBLE, DITCH LINING	TN	4.1	\$ 400.00	\$ 1,640.00
530-74	BEDDING STONE	TN	2.9	\$ 300.00	\$ 870.00
536-1-1	GUARDRAIL - ROADWAY	LF	53.00	\$ 80.00	\$ 4,240.00
536-73	GUARDRAIL REMOVAL	LF	67	\$ 20.00	\$ 1,340.00
536-85-24	GUARDRAIL END ANCHORAGE ASSEMBLY- TYPE PARALLEL	EA	1	\$ 4,500.00	\$ 4,500.00
570-1-2	PERFORMANCE TURF- SOD	SY	6,601	\$ 3.50	\$ 23,103.50
654-2-21	RECTANGULAR RAPID FLASHING BEACON, F&I, SOLAR POWERED, COMPLETE ASSEMBLY, SINGLE DIRECTION	AS	2	\$ 5,000.00	\$ 10,000.00
700-1-11	SINGLE POST SFN, F&I GROUND MOUNT, UP TO 12 SF	AS	7	\$ 500.00	\$ 3,500.00
700-1-50	SINGLE POST SIGN, RELOCATE	AS	1	\$ 200.00	\$ 200.00
700-1-60	SINGLE POST SIGN, REMOVE	AS	5	\$ 100.00	\$ 500.00
705-10-2	OBJECT MARKER, TYPE 2	EA	1	\$ 100.00	\$ 100.00
711-11-123	THERMOPLASTIC, STANDARD, WHITE, SOLID, 12"	LF	153	\$ 5.00	\$ 765.00
711-11-125	THERMOPLASTIC, STANDARD, WHITE, SOLID, 24"	LF	50	\$ 10.00	\$ 500.00
TOTAL BASE BID					\$ 343,700.00

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we

Hartman Civil Construction Company, Inc., 7379 N Whippoorwill Terrace, Hernando, FL 34442
as Principal, hereinafter called the Principal, and

Merchants National Bonding, Inc., PO Box 14498, Des Moines, IA 50306
a corporation duly organized under the laws of the State of Iowa as Surety, hereinafter called the Surety, are held and firmly bound unto

Town of Lady Lake, 409 Fennell Blvd
as Obligees, hereinafter called the Obligees, in the sum of TEN Percent of the amount bid

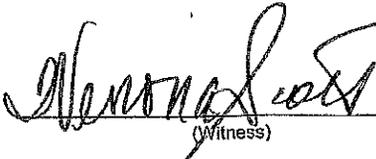
Dollars (\$ _____)

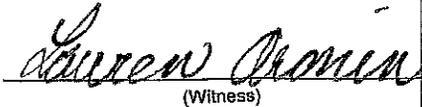
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for
LAP Villages Elementary Safe Routes to School Project

NOW, THEREFORE, if the Obligees shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligees in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligees the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligees may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

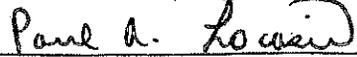
Signed and sealed this 12th day of September, 2016.


(Witness)


(Witness)

Hartman Civil Construction Company, Inc.
(Principal) (Seal)

Merchants National Bonding, Inc.
(Surety) (Seal)


**Paul A. Locascio, Attorney-in-Fact
& Florida Licensed Resident Agent**

MERCHANTS
BONDING COMPANY
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

**Benjamin H French; Clyde D Hare; K Wayne Walker; L Dale Waldorff; Pamela L Jarman;
Paul A Locascio; Rebekah G Wolf**

their true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver on behalf of the Companies, as Surety, bonds, undertakings and other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

FIVE MILLION (\$5,000,000.00) DOLLARS

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 24, 2011.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 30th day of December, 2015.



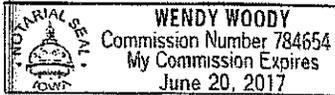
MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*

President

STATE OF IOWA
COUNTY OF Dallas ss.

On this 30th day of December, 2015, before me appeared Larry Taylor, to me personally known, who being by me sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

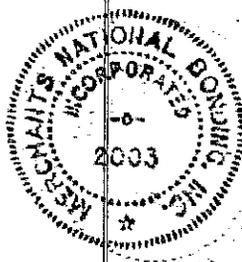


Wendy Woody
Notary Public, Polk County, Iowa

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 12th day of September, 2016.



William Warner Jr.
Secretary

To: Town of Lady Lake Commission Town
of Lady Lake, Florida

Gentlemen:

The Undersigned, hereinafter called "Bidder", having visited the site of the proposed project and familiarized himself with the local conditions, nature and extent of the work, and having examined carefully the Contract Form, General Conditions, Supplementary Conditions, Plans and Specifications and other Contract Documents, with the Bond requirements herein, proposes to furnish all labor, materials, equipment and other items, facilities and services for the proper execution and completion of: LOCAL AGENCY PROGRAM (LAP) VILLAGES ELEMENTARY SAFE ROUTES TO SCHOOL PROJECT in full accordance with the drawings and specifications prepared in accordance with the Contract Documents and, if awarded the contract, to complete the said work within the time limits specified for the following BID AMOUNT.

It is understood that this is a unit price contract and the estimated total bid is the sum of all pay item totals from the attached bid schedule.

TOTAL BID AMOUNT;

Three hundred forty-three thousand seven hundred dollars and zero cents DOLLARS
(In Words)

\$ 343,700.00

Contractor shall fill out attached bid breakdown form for the total bid amounts.

In the event the contract is awarded to this Bidder, he/she will enter into a formal written agreement with the Town in accordance with the accepted bid within ten (10) calendar days after said contract is submitted to him/her and will furnish to the Town a Contract Payment and Performance Bond with good and sufficient sureties, satisfactory to the Town, in the amount of 100% of the accepted bid. The Bidder further agrees that in the event of the Bidder's default or breach of any of the agreements of this proposal, the said bid deposit shall be forfeited as liquidated damages.

The Bidder hereby agrees that there is attached:

- | | | |
|----|---|--------------|
| 1. | Non-Collusion Affidavit, Attachment A | Yes <u>X</u> |
| 2. | Required Disclosure, Attachment B | Yes <u>X</u> |
| 3. | Bid Bond or Cashiers Check, Exhibit 1
(10% of Base Bid) | Yes <u>X</u> |
| 4. | Four (4) Complete copies of this Bid Form
with all attachments | Yes <u>X</u> |
| 5. | References, Attachment E | Yes <u>X</u> |

- | | | | | | |
|----|--|-----|----------|-----|-------|
| 6. | Licenses | Yes | <u>X</u> | N/A | _____ |
| 7. | Bid Proposal Form | Yes | <u>X</u> | | |
| 8. | Required Federal Forms | Yes | <u>X</u> | | |
| | 525-010-46 Certification of Current Capacity | | | | |
| | 375-030-33 Certification Disclosure of Lobbying Activities | | | | |
| | 375-030-34 Disclosure of Lobbying Activities | | | | |
| | 375-030-32 Certification Regarding Debarment | | | | |

Acknowledgment is hereby made of receipt of the following Addenda issued during the bidding period:

Addendum No. _____ Dated _____ Addendum No. _____ Dated _____

Addendum No. _____ Dated _____ Addendum No. _____ Dated _____

If awarded this construction contract, the Bidder agrees to complete the work covered by this contract as follows:

1. Work shall start at the project site within ten (10) days of the effective date of the Notice to Proceed.
2. Substantially complete in 85 consecutive calendar days from date of Official Notice to Proceed.
3. Final completion in 100 consecutive calendar days from date of Official Notice to Proceed.
4. Should the Successful Bidder fail to complete work as specified, the liquidated damage clause will apply.

The contract will be awarded to the best lowest responsive bidder, however, the Bidder hereby agrees that the Town reserves the right to waive informalities in any bid and to reject any or all bids, or to accept any bid that in its judgment will be for the best interest of the Town.

FLORIDA CONSTRUCTION INDUSTRIES LICENSING BOARD CERTIFICATION:

Michael A. Hartman CGC060004

(NAME OF HOLDER) (CERTIFICATE NO.)

[Handwritten Signature] August 31, 2018

(SIGNATURE OF BIDDER) (CERTIFICATE EXPIRATION DATE)

Michael A. Hartman

(NAME TYPED)

IDENTIFICATION OF BUSINESS ORGANIZATION

Complete and submit the following information:

Type of Organization

- Sole Proprietorship Partnership
- Joint Venture Corporation

State of Incorporation: Florida

AUTHORIZED SIGNATORIES/NEGOTIATORS

The bidder or proposer represents that the following persons are authorized to sign and/or negotiate contracts and related documents to which the bidder or proposer will be duly bound:

Name	Title	Telephone Number
Michael A. Hartman,	President	(352) 489-5559

IN WITNESS WHEREOF, THE BIDDER HAS HEREUNTO SET HIS SIGNATURE AND AFFIXED HIS SEAL THIS DAY OF 9 SEPTEMBER, A.D. 2016.

BY *Wenona Scott* (SEAL)

TITLE: Asst. Secretary

Wenona Scott, Asst. Secretary
PRINT NAME AND TITLE

FEDERAL I.D. # 46-5262082

Attachment A
NON-COLLUSION AFFIDAVIT

The undersigned being first duly sworn as provided by law, deposes and says:

1. This Affidavit is made with the knowledge and intent that it is to be filed with the Town Commission, Town of Lady Lake, Florida and that it will be relied upon by said Town, in any consideration which may give to and any action which it may take with respect to this Proposal.

2. The undersigned is authorized to make this Affidavit on behalf of,

Hartman Civil Construction Co., Inc.

(Name of Corporation, Partnership, Individual, etc.)

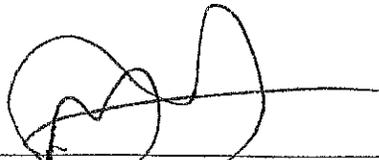
A Corporation, formed under the laws of Florida

of President which he is

(Sole Owner, partner, president, etc.)

3. Neither the undersigned nor any other person, firm or corporation named in above Paragraph 2, nor anyone else to the knowledge of the undersigned, have themselves solicited or employed anyone else to solicit favorable action for this Proposal by the Town of Lady Lake, also that no head of any department or employee therein, or any officer of Town of Lady lake, Florida is directly interested therein.

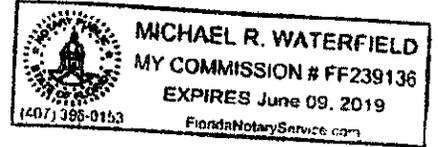
4. This Proposal is genuine and not collusive or a sham; the person, firm or corporation named above in Paragraph 2 has not colluded, conspired, connived or agreed directly or indirectly with any bidder or person, firm or corporation, to put in a sham Proposal, or that such other person, firm or corporation, shall refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference with any person, firm or corporation, to fix the prices of said proposal or proposals of any other bidder; and all statements contained in the proposal or proposals described above are true; and further, neither the undersigned, nor the person, firm or corporation named above in Paragraph 3, has directly or indirectly submitted said proposal or the contents thereof, or divulged information or data relative thereto, to any association or to any member or agent thereof.



(AFFIANT)



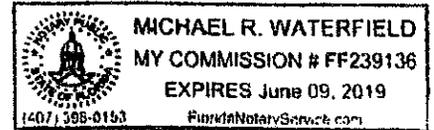
TAKEN, SWORN AND SUBSCRIBED TO BEFORE ME this 12th day of September, 2014.



M of R Waterfield

(Seal)

Notary Public



M of R Waterfield

(Seal)

(Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known or Produced Identification

Type of Identification: _____

Attachment B
REQUIRED DISCLOSURE

The following Disclosure is of all material facts pertaining to any felony or civil conviction or any pending felony or civil charges in the last three (3) years in this State or any other State of the United States against 1) Bidder, 2) any business entity related to or affiliated with bidder, or 3) any present or former executive employee, officer, director, stockholder, partner or owner of bidder or of any such related or affiliated entity. This Disclosure shall not apply to any person or entity which is only a stockholder, which person or entity owns twenty percent (20) or less of the outstanding shares of a bidder whose stock is publicly owned and traded.

N/A

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LAP CERTIFICATION OF CURRENT CAPACITY

525-010-46
PROGRAM MANAGEMENT
12/09
Page 1 of 2

CONFIDENTIAL

For bids to be received on September 12, 2016
(Letting Date)

Fill in your FDOT Vendor Number VF <u>4 6 5 2 6 2 0 8 2</u> (Only applicable to FDOT pre-qualified contractors)

CERTIFICATE

I hereby certify that the amount of any proposal submitted by this bidder for the above letting does not exceed the amount of the Firm's CURRENT CAPACITY (maximum capacity rating less total uncompleted work).

The total uncompleted work as shown on
the "Status of Contracts on Hand" report (page 2)

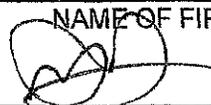
\$ 1,710,330.00

I further certify that the "Status of Contracts on Hand" report (page 2) was prepared as follows:

1. If the letting is before the 25th day of the month, the certificate and report reflect the uncompleted work as of the 15th day of the month, last preceding the month of the letting.
2. If the letting is after the 25th day of the month, the certificate and report reflects the uncompleted work in progress as of the 15th day of the month of the letting.
3. All new contracts (and subcontracts) awarded earlier than five days before the letting date are included in the report and charged against our total rating.

I certify that the information above is correct.

Sworn to and subscribed this 9th day
of SEPTEMBER, 2016

Hartman Civil Construction Co., Inc.
NAME OF FIRM
By: 
MICHAEL A. Hartman, PRESIDENT
Title

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,
INELIGIBILITY AND VOLUNTARY EXCLUSION-
LOWER TIER COVERED TRANSACTIONS FOR FEDERAL AID CONTRACTS
(Compliance with 2 CFR Parts 180 and 1200)**

It is certified that neither the below identified firm nor its principals are presently suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

Name of Consultant/Contractor: Michael A. Hartman

By: _____

Date: 9/12/16

Title: President

Instructions for Certification

Instructions for Certification - Lower Tier Participants:

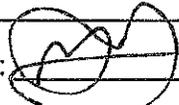
(Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200)

- a. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.
- b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
- c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.
- d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).
- e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
- f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.
- g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epils.gov/>), which is compiled by the General Services Administration.
- h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
DISCLOSURE OF LOBBYING ACTIVITIES

375-030-34
 PROCUREMENT
 02/16

Is this form applicable to your firm?
 YES NO
 If no, then please complete section 4
 below for "Prime"

1. Type of Federal Action: a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: a. bid/offer/application b. initial award c. post-award	3. Report Type: a. initial filing b. material change For Material Change Only: Year: _____ Quarter: _____ Date of last report: _____ (mm/dd/yyyy)
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: _____ _____ _____ Congressional District, if known: 4c	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: _____ _____ _____ Congressional District, if known: _____	
6. Federal Department/Agency: _____ _____	7. Federal Program Name/Description: _____ _____ CFDA Number, if applicable: _____	
8. Federal Action Number, if known: _____	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): _____ _____ _____	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): _____ _____ _____	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature:  Print Name: <u>Michael A. Hartman</u> Title: <u>President</u> Telephone No.: <u>(352) 489-5559</u> Date (mm/dd/yyyy): <u>9/12/16</u>	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

**CERTIFICATION FOR DISCLOSURE OF LOBBYING ACTIVITIES
ON FEDERAL-AID CONTRACTS
(Compliance with 49CFR, Section 20.100 (b))**

The prospective participant certifies, by signing this certification, that to the best of his or her knowledge and belief:

(1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities", in accordance with its instructions. (Standard Form-LLL can be obtained from the Florida Department of Transportation's Professional Services Administrator or Procurement Office.)

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The prospective participant also agrees by submitting his or her proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

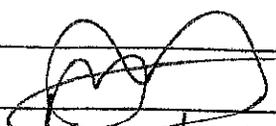
Name of Consultant: Michael A. Hartman HARTMAN CIVIL CONSTRUCTION Co., Inc.
By: MICHAEL A. HARTMAN Date: 9/12/16
Authorized Signature: [Signature]
Title: President



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
DISCLOSURE OF LOBBYING ACTIVITIES

375-030-34
 PROCUREMENT
 02/16

Is this form applicable to your firm?
 YES NO
 If no, then please complete section 4
 below for "Prime"

1. Type of Federal Action: a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: a. bid/offer/application b. initial award c. post-award	3. Report Type: a. initial filing b. material change For Material Change Only: Year: _____ Quarter: _____ Date of last report: _____ (mm/dd/yyyy)
4. Name and Address of Reporting Entity <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Hartman Civil Construction Co., Inc. 7379 N. Whippoorwill Terrace Hernando, FL 34442 Congressional District, if known: 4c	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: _____ _____ _____ Congressional District, if known: _____	
6. Federal Department/Agency: _____ _____	7. Federal Program Name/Description: _____ _____ CFDA Number, if applicable: _____	
8. Federal Action Number, if known: _____	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): _____ _____ _____	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): _____ _____ _____	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature:  Print Name: <u>Michael A. Hartman</u> Title: <u>President</u> Telephone No.: <u>(352) 489-5559</u> Date (mm/dd/yyyy): <u>9/12/14</u>	

Federal Use Only: _____ Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)



**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**CONSTRUCTION INDUSTRY LICENSING BOARD
2601 BLAIR STONE ROAD
TALLAHASSEE FL 32399-0783**

(850) 487-1395

**HARTMAN, MICHAEL ALLEN
HARTMAN CIVIL CONSTRUCTION COMPANY, INC.
7379 N WHIPPOORWILL TERRACE
HERNANDO FL 34442**

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto www.myfloridalicense.com. There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!



**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION**

CGC060004 ISSUED: 08/01/2016

**CERTIFIED GENERAL CONTRACTOR
HARTMAN, MICHAEL ALLEN
HARTMAN CIVIL CONSTRUCTION COMPANY**

**IS CERTIFIED under the provisions of Ch. 489 FS.
Expiration date : AUG 31, 2018 L1608010001279**

DETACH HERE

RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

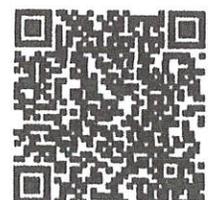
**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD**

LICENSE NUMBER	
CGC060004	

**The GENERAL CONTRACTOR
Named below IS CERTIFIED
Under the provisions of Chapter 489 FS.
Expiration date: AUG 31, 2018**



**HARTMAN, MICHAEL ALLEN
HARTMAN CIVIL CONSTRUCTION COMPANY, INC.
7379 N WHIPPOORWILL TERRACE
HERNANDO FL 34442**



ISSUED: 08/01/2016

DISPLAY AS REQUIRED BY LAW

SEQ # L1608010001279



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JIM BOXOLD
SECRETARY

June 6, 2016

HARTMAN CIVIL CONSTRUCTION COMPANY, INC.
7379 N WHIPPOORWILL TERRACE
HERNANDO FL 34442

RE: CERTIFICATE OF QUALIFICATION

Dear Sir/Madam:

The Department of Transportation has qualified your company for the type of work indicated below. Unless your company is notified otherwise, this Certificate of Qualification will expire 6/30/2017. However, the new application is due 4/30/2017.

In accordance with S.337.14 (1) F.S. your next application must be filed within (4) months of the ending date of the applicant's audited annual financial statements.

If your company's maximum capacity has been revised, you can access it by logging into the Contractor Prequalification Application System via the following link:

<https://www3.dot.state.fl.us/ContractorPreQualification/>

Once logged in, select "View" for the most recently approved application, and then click the "Manage" and "Application Summary" tabs.

FDOT APPROVED WORK CLASSES:

DRAINAGE, GRADING, Sidewalks, Underground Utilities.

Please be advised the Department of Transportation has considered your company's qualification in all work classes requested. We have evaluated your company's organization, management, work experience, work performance and adequacy of equipment as directed by section 14-22.003, Florida Administrative Code. Based on this evaluation, the Department is not able, at this time, to prequalify your company for the work classes: FLEXIBLE PAVING.

You may apply for a Revised Certificate of Qualification at any time prior to the expiration date of this certificate according to Section 14-22.0041(3), Florida Administrative Code (F.A.C.), by accessing your most recently approved application as shown above and choosing "Update" instead of "View." If certification in additional classes of work is desired, documentation is needed to show that your company has done such work with your own forces and equipment or that experience was gained with another contractor and that you have the necessary equipment for each additional class of work requested.

HARTMAN CIVIL CONSTRUCTION COMPANY, INC.
June 6, 2016
Page Two

All prequalified contractors are required by Section 14-22.006(3), F.A.C., to certify their work underway monthly in order to adjust maximum bidding capacity to available bidding capacity. You can find the link to this report at the website shown above.

Sincerely,

Alan D Autry

Digitally signed by Alan D Autry
DN: c=US, o=IdenTrust ACES Business Representative,
ou=FLORIDA DEPARTMENT OF TRANSPORTATION,
cn=Alan D Autry,
0.9.2342.19200300.100.1.1=A01097C000014DE207391
B00004776
Date: 2016.06.06 14:55:50 -0400

Alan Autry, Manager
Contracts Administration Office

AA:cj

Company ID Number: 861885

Approved by:

Employer Hartman Civil Construction Co. Inc.	
Name (Please Type or Print) Hartman Michael	Title President
Signature Electronically Signed	Date 03/16/2015
Department of Homeland Security – Verification Division	
Name (Please Type or Print) USCIS Verification Division	Title
Signature Electronically Signed	Date 03/16/2015

Request for Taxpayer Identification Number and Certification

**Give Form to the
 requester. Do not
 send to the IRS.**

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. HARTMAN CIVIL CONSTRUCTION COMPANY, INC.		
	2 Business name/disregarded entity name, if different from above		
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____		4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.) 7379 N Whipoorwill Ter		Requester's name and address (optional)
	6 City, state, and ZIP code Hernando, FL 34442		
	7 List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

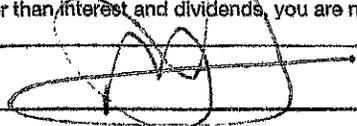
Social security number
[] [] [] - [] [] - [] [] [] []
or
Employer identification number
46 - 5262082

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here Signature of U.S. person ▶  Date ▶ **1/27/2016**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.



J-9

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: November 7th, 2016

SUBJECT: Consideration of Inter-local Agreement between the Town of Lady Lake and the Lake-Sumter Metropolitan Planning Organization Relating to The Town of Lady Lake Pavement Management Program

DEPARTMENT: Public Works - Streets

STAFF RECOMMENDED MOTION: Approve the Inter-local Agreement between the Town of Lady Lake and the Lake-Sumter Metropolitan Organization relating to the Town of Lady Lake Pavement Management Program.

SUMMARY: The Lake-Sumter Metropolitan Organization (MPO) has procured an engineering consultant to assist its member localities with Pavement Management Programs. The Town has participated in this program with the MPO for the past few years. This is a budgeted item. The agreement has been reviewed and approved by our Town Attorney.

FISCAL IMPACT: Est. \$42,562.00-Not to Exceed Capital Budget
\$45,000 Budgeted Operating
 Other- 001-4102-541-34.10

ATTACHMENTS: Ordinance Resolution Budget Resolution
 Other – Interlocal Agreement with the MPO
 Support Documents

DEPARTMENT HEAD Submitted  Date: 10/20/2016

HR Approved as to Form Date

FINANCE DEPARTMENT *pw* Approved as to Budget Requirements Date 10/31/16

TOWN MANAGER  Approved Agenda Item for: 11-7-16 Date 10-31-16

COMMISSION ACTION:

- Approved as Recommended Disapproved Tabled Indefinitely
- Continued to Date Certain Approved with Modification

**INTERLOCAL AGREEMENT
BETWEEN
THE TOWN OF LADY LAKE
AND
THE LAKE~SUMTER METROPOLITAN PLANNING ORGANIZATION
RELATING TO
THE TOWN OF LADY LAKE PAVEMENT MANAGEMENT PROGRAM**

THIS AGREEMENT relating to the Town of Lady Lake Pavement Management Program is entered into between **THE TOWN OF LADY LAKE, FLORIDA**, a Florida Municipal Corporation (“TOWN”), and the **LAKE~SUMTER METROPOLITAN PLANNING ORGANIZATION**, (“MPO”).

RECITALS

WHEREAS, the Lake-Sumter Metropolitan Planning Organization (MPO) was created through interlocal agreement in 2003, and is responsible for managing a continuing, cooperative, and comprehensive transportation planning process for Lake and Sumter counties and their municipalities; and

WHEREAS, a Pavement Management Program is the process by which a county or municipality oversees the maintenance and repair of its roadway network; and

WHEREAS, the TOWN supports a Pavement Management Program to provide safe driving conditions, to extend the life of TOWN-maintained roadways, and to avoid costly or unnecessary repairs; and

WHEREAS, the TOWN conducts an evaluation and inventory of pavement and striping conditions of all roadways maintained by the TOWN on a periodic basis to create and update a list of candidate roadway preservation and rehabilitation projects; and

WHEREAS, the TOWN prioritizes the candidate projects using criteria that address the urgency of the need for resurfacing or repair, and then applies its allocated budget for resurfacing or repair of the prioritized list of projects; and

WHEREAS, the TOWN recognizes that the need for pavement management is greater than can be met by available funds and therefore the prioritization process for funding must be objective; and

WHEREAS, on February 26, 2014, the MPO entered into an interlocal agreement with the TOWN to provide continuing support services related to the TOWN’s 2014 Pavement Management Program and the use of the MicroPAVER software system to help plan and track the TOWN’s pavement resurfacing and maintenance program by an MPO consultant; and

WHEREAS, the TOWN wishes to engage the MPO’s management services, including the use of an MPO consultant, to provide continuing support services related to the implementation of the TOWN’s 2016 Pavement Management Program; and

WHEREAS, at this time, the TOWN and the MPO desire to reduce their agreement to a writing as stated herein.

NOW, THEREFORE, in consideration of the promises, mutual covenants and conditions contained herein, the TOWN and MPO hereby covenant and agree as follows:

1. **Recitals.** The Recitals set forth above are true and correct, and incorporated herein.
2. **Purpose.** The purpose of this Agreement is for the MPO to provide Continuing Support Services related to the TOWN's 2016 Pavement Management Program and the use of the MicroPAVER software system to help plan and track the TOWN's pavement resurfacing and maintenance program via an MPO engineering consultant.
3. **Cost of Services.** The TOWN agrees to pay all costs of the Pavement Management Program services to be provided to the TOWN via the MPO's consultant, as generally outlined in **Exhibit "B,"** in an amount that shall not exceed Forty One Thousand Eight Hundred Thirty-three and 00/100 Dollars (\$41,833.00). The TOWN also agrees to pay the MPO for its management services at an hourly rate of Seventy-two Dollars and 90/100 Cents (\$72.90) for a maximum of 10 hours of contract management in an amount not to exceed Seven Hundred Twenty-nine Dollars and 00/100 Cents (\$729.00). The total amount to be paid by TOWN for all services that are the subject of this Agreement shall not exceed Forty Two Thousand Five Hundred Sixty-two Dollars and 00/100 Cents (\$42,562.00).
4. **MPO Obligations.**
 - A. The MPO shall serve as Program Manager for Continuing Support Services for the TOWN's Pavement Management Program. As Program Manager, the MPO shall review deliverables and invoices provided by the consultant for conformity to the Scope of Services attached hereto and incorporated herein as **Exhibit "A."**
 - B. The MPO shall ensure that all invoices reflect the percentage completion of the Scope of Services attached hereto and incorporated herein as **Exhibit "A,"** shall add the cost of its management services as provided in Section 3 of this Agreement, shall transmit invoices and deliverables, upon completion, to the TOWN on a monthly basis, and shall receive and process all payments from the TOWN.
 - C. The general MPO point of contact for this Agreement is:
T.J Fish , AICP
MPO Executive Director
Lake~Sumter MPO
1616 South 14th Street
Leesburg, FL 34748
352-315-0170
TJFish@LakeSumterMPO.com

5. TOWN Obligations.

- A. The TOWN shall provide the MPO with any additional data and information requested in order to facilitate the Pavement Management Program Continuing Support Services.
- B. The TOWN shall promptly review the deliverables and invoices provided pursuant to the Scope of Services attached hereto and incorporated herein as **Exhibit "A,"** and shall provide direction to the MPO as needed.
- C. In accordance with the Florida Prompt Payment Act, Chapter 218, Part VII, Florida Statutes, the TOWN shall reimburse the MPO for all services rendered by the MPO and the MPO's consultant pursuant to Section 3 of this Agreement and the Scope of Services attached hereto and incorporated herein as **Exhibit "A."**
- D. The general TOWN point of contact for this Agreement is:
C. T. Eagle, Sr.
Public Works Director
Town of Lady Lake
136 Skyline Drive
Lady Lake, FL 32159
cteagle@ladylakepw.org

6. Effective Date, Term and Termination.

- A. This Agreement shall become effective upon the first day following execution by both parties. The initial term of the Agreement shall be for one year from the effective date. The parties shall have the option to extend the term of the Agreement for one (1) additional six (6) month period.
- B. Either party may terminate this Agreement with or without cause upon thirty (30) days advance written notice to the other party; however, upon termination of the Agreement pursuant to this section, the TOWN shall reimburse the MPO for all services rendered by the MPO and shall pay all costs incurred by the MPO's consultant prior to the MPO receiving notice of the termination.
- C. Any termination notice under this section shall be sent to:

For the TOWN:

Public Works Director
Town of Lady Lake
136 Skyline Drive
Lady Lake, FL 32159

For the MPO:

Executive Director
Lake~Sumter MPO
1616 South 14th Street
Leesburg, FL 34748

7. **Modification.** No modification, amendment or alteration in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.
8. **Scope of Agreement.** This document incorporates and includes all prior negotiations, correspondence, conversations, agreements and understandings applicable to the matters contained herein, and the parties agree that there are no commitments, agreements or understandings concerning the subject matter of this Agreement that are not contained herein.

IN WITNESS WHEREOF, the parties hereto have made and executed this Interlocal Agreement on the respective dates under each signature: TOWN through its Town Commission, signing by and through its Mayor, and MPO through its Governing Board, signing by and through its Chairman.

TOWN

**TOWN COMMISSION
LADY LAKE, FLORIDA**

Ruth Kussard, Mayor

Attest:

Kristen Kollgaard,
Town Clerk, Town of Lady Lake, Florida

Approved as to Form and Legality:

Derek Schroth
Town of Lady Lake Attorney

MPO

**LAKE~SUMTER METROPOLITAN
PLANNING ORGANIZATION**

Leslie Campione, Chairman

This _____ day of _____, 2016

Attest:

Doris LeMay
Executive Assistant

Approved as to Form and Legality:

Melanie Marsh
MPO Attorney

Exhibit “A”
Consultant Scope, Schedule and Fee
Town of Lady Lake County
Pavement Management Program

1. PROJECT DESCRIPTION

Consultant, Kisinger Campo and Associates Corp (KCA), will assist the Town of Lady Lake by providing continuing support services related to the use of the MicroPAVER software system to help plan and track the TOWN’s Pavement Management Program.

2. SCOPE OF SERVICES

The intent of this project is to provide an update to the Town of Lady Lake’s Pavement Management Plan (PMP) previously completed in 2012. A pavement management system is a tool, or set of tools, that specifically focus on a single asset – pavement. The goal of the system is to assist Lady Lake in maintaining their network of safe and serviceable pavements in a cost-effective manner. Kisinger Campo and Associates Corp (KCA) will work in partnership with the Town in the development of the PMP on the approximately 62.5-centerline miles in the road inventory using the methodologies specified in ASTM D6433 Standard Practice for Roads and Parking Lots Pavement Condition Index Surveys.

KCA’s approach is to build upon the previous work completed in 2014 and 2016. Pavement conditions, coupled with historical pavement treatments, provides the ability to predict future network pavement condition. This in turn provides a mechanism to assess various pavement repair strategies and make informed financial decisions. This approach will provide the Town the ability to make realistic long-term plans based on sound engineering principles, desired long-term conditions, and desired investment options. All data collected shall be entered into PAVER™ v6.5 for the determination of the overall Pavement Condition Index (PCI) of the selected roads.

This project will be implemented in several Tasks. The first Task shall include the preparatory activities including Base Map Development and Database Creation. Subsequent Task include Inventory, Assessment, Reporting, and Development of a 5 Year Capital Improvements Program.

Overall Project Goals include:

- Updating the existing PAVER database with up-to-date construction work history
- Collection of pavement distress data
- Report and GIS-based atlas sheets depicting the Pavement Condition Index (PCI) and Structural Condition Index (SCI) for each roadway segment
- Geo-referenced digital photographs, in JPEG format, of each sample location
- An electronic copy of the updated PAVER database including maintenance cost tables, maintenance strategies, and budget policy tables
- A Recommendation for a 5 Year Capital Improvement program and associated funding levels

Each Task is further described:

Task I – Initial Data Collection and Paver Database Creation

Task 1 consists of the development of an accurate inventory of pavements owned and maintained by the TOWN, and becomes the pavement network for which the PMP is being developed. In our previous work effort the Town, a base map and associated database was created for the TOWN roads. In this Task the PAVER database will be set up for Task II.

Task 1 Deliverables – The deliverables for Task 1 include the following:

- An ESRI GIS roadway centerline file depicting all TOWN owned and maintained roadways.
- An updated PAVER database linked to the ESRI GIS centerline file.

Task II – Inventory / Field Inspections

The inventory task shall consist of collecting field data:

Inventory Data – Information about the roads that generally remains static over time (length, width, type). KCA shall verify pavement widths and lengths during our field activities.

Condition Data – Systematically collected pavement distress data including the condition type, quantity, and severity as defined in ASTM D6433. Field inspection will be performed by KCA staff for all potential asphalt distresses defined in ASTM D6433. All collected data shall be entered into a MS Access database for importing into PAVER Software.

Digital Photography – A geo-referenced digital photograph for each sample location. The photograph shall include the date, time, and location, as well as other references to accurately locate the location of the photo. Each photo shall also be linked to the PAVER database and the GIS shapefile.

Task II Deliverables – The deliverables for Task II include the following;

- A PAVER database, populated with inventory and distress data for residential roads Linked to the ESRI GIS centerline file.
- Geo-referenced digital photographs for each sample location linked to PAVER and GIS.

Task III -Quality Control

The following shall be provided as part of KCA's Quality Control to ensure a successful, quality project:

Digital Photograph – The digital photography, as described in Task II, shall be provided for each sample location. Along with the digital photograph, a photographic report shall be provided. Note that the digital photo is helpful to use as a reference but should not be considered accurate enough to perform an actual inspection.

Inspection Protocol – All inspections shall be manual “feet on the ground” type inspections. The PCI calculation is very sensitive to the weathering distress data. Failure to conduct a “feet on the ground” survey can result in PCI values that are inaccurate. Manual visual inspection allows for reproducibility and the highest level of accuracy.

Data Verification – KCA's data collection techniques ensure that all data is accurate before it is imported into PAVER. By importing data, the chances of data errors are virtually eliminated. However, to greatly reduce the chance of a data collection error, KCA shall utilize a RE-Inspection Report that includes multiple upgrades from the typical PAVER report. Section information, distress information, a location map, and photo of the sample area are a couple of the items included on our improved report. As part of the QC process, field verification of a percentage of the samples will be conducted by a QC person who is not directly involved in the initial data collection. The QC inspector will not have the inspection data and therefore would remain completely independent. After the QC field inspection, the report to the right aids the project manager in determining differences between the inspections.

Task IV – Data Assessment / Budget Projections

The Data Assessment task shall consist of combining information from the previous Task with historical pavement related data in the PAVER database, and providing basic assessments of the pavement conditions and budgetary requirements. Specific assessments include:

Pavement Condition Indices – KCA shall determine the Pavement Condition Index (PCI) and the Structural Condition Index (SCI) of each road segment in the inventory. The PCI and SCI will be depicted on a series of atlas sheets for the TOWN's review.

Planning Specific Data – KCA will work with TOWN staff to refine planning specific data previously entered into the PAVER database. Examples of planning specific data include, but may not be limited to, last construction date and rank (the roadway classification such as arterial, primary, etc.). Including the last construction date and rank in the PAVER database allows for roadways with similar characteristics to be assigned to the appropriate pavement deterioration curve families. Deterioration curves previously developed for the TOWN will be reviewed and updated as appropriate.

Maintenance Strategy Policy – A maintenance Strategy Policy identifies which M&R practices will be utilized to repair each distress and its corresponding severity level. KCA will review previous maintenance strategies employed by the TOWN and develop a list of candidate maintenance strategies to include in the Maintenance Strategy Policy. The resulting Maintenance Strategy Policy will be built into the PAVER database.

Maintenance Cost Tables – KCA will setup maintenance cost tables inside the PAVER database reflecting the M&R practices as outlined in the Maintenance Strategy Policy task. KCA will use current per unit market price for each M&R practice utilized in the Maintenance Strategy Policy.

Evaluation of Conditions and Trends – KCA will evaluate the conditions of the existing roadway network and develop trends using PAVER. This task will begin with the evaluation of both PCI and SCI. The evaluation of trends will also include developing deterioration curves for pavement families. Condition and trend evaluation helps anticipate the future condition of the roadway network which is necessary to improve the existing PCI, and one funding level necessary to eliminate deferred maintenance within an agreed upon planning horizon. Also included will be an analysis of the effect of the existing annual budget on PCI and deferred maintenance.

Maintenance and Rehabilitation Plan – KCA will work with TOWN staff to determine the parameters of the Pavement Management Program and the level of maintenance and repair desired. There are four levels of M&R that can be utilized by the Pavement Management Program. Localized stop-gap, localized preventive, global preventive, and major M&R can be employed in varying degrees to achieve the goals of the overall Pavement Management Program. KCA will meet with TOWN staff to determine budget constraints of PMP and will setup maintenance and repair budget policy tables base on budgeting information provided by the TOWN staff.

Task V – Reporting

Reporting – All data and findings previously described shall be summarized into a bound report. The report shall include graphical and tabular data, as well as recommendations for projects to be included in a 5 year Capital Improvement Program.

A draft Final Report shall be produced after the completion of approximately 100% of the field inspections for TOWN review and comment. The Draft report shall include all data collected, findings, maintenance strategies, projects costs, budget forecasts, and a proposed M&R Plan.

A Final Report shall be produced incorporating comments from TOWN staff on the Draft Report.

Task V Deliverables – The deliverables for Task V include the following:

- Written and Electronic (PDF) Draft Report
- Written and Electronic (PDF) Final Report
- Electronic copy of the PAVER database populated with field collected and verified data.
- Electronic copies of all digital photos.
- Electronic (PDF) copy of photographic report.
- ESRI GIS centerline roadway file linked to the PAVER database.

Task VI – Database Support Services / Installation / Staff Training / Presentations

This Task is not included in the proposed project budget. Based on the desire of the TOWN, KCA can provide on-site support services at TOWN facilities, including assistance with PAVER database installation and setup, staff training, staff presentations, inspection procedures, or other topics as desired by the TOWN.

TASK VII – Project Administration and Meetings

Weekly Report and Data Processing task provides a mechanism allowing KCA Project Management staff to track the progress of the field data collection on a weekly basis. The reports prepared will show the number of miles of the pavement network completed, by day, and the inventory remaining to be inspected. The periodic data processing ensures that redundant copies of the collected data are preserved. This Task shall also include three on-site meetings at TOWN facilities.

Task VII Deliverables – The deliverables for Task VII include the following:

- Summary progress reports shall be provided to the TOWN at the time of invoicing.

3. SCHEDULE:

The following schedule is anticipated:

<u>Task</u>	<u>Schedule</u>
Task I – Base Map Development and Database Creation	3 Weeks from NTP
Task II – Inventory / Field Inspections	5 Weeks
Task III – Quality Control	1 Week
Task IV – Data Assessment / Budget Projections	1 Week
Task V – Reporting	2 Weeks
Task VI – Database Support Services / Staff Training	N/A
Task VII – Project Administration and Meetings	Continuous

4. BUDGET AND INVOICING:

The proposed lump-sum fee for Professional Services for the Pavement Management Database & Evaluation Program is forty one thousand, eight hundred thirty-three and 00/100 dollars (\$41,833.00). Invoices shall be based on percent of each task performed.

<u>Task</u>	<u>Lump Sum Budget</u>
Task I – Base Map Development and Database Creation	\$1,314.00
Task II – Inventory / Filed Inspections	\$13,295.00
Task III – Quality Control	\$6,008.00
Task IV – Data Assessment / Budget Projections	\$9,548.00
Task V – Reporting	\$6,076.00
Task VI – Database Support Services / Staff Training / Presentations	N/A
Task VII – Project Administration and Meetings	\$5,642.00
Total	\$41,833.00

Interlocal Agreement Between Lake-Sumter MPO and the Town of Lady Lake for 2016 Pavement Management Program

<u>Staff Assignment</u>	<u>Rate</u>
Principal	N/A
Group Manager	\$217.00
QA/QC	\$140.00
Database Admin	\$140.00
Drafter/CADD/GIS Specialist	\$95.00
Field Inspection	\$79.00

RESOLUTION NO. 2016-111

A RESOLUTION OF THE TOWN OF LADY LAKE IN SUPPORT OF THE "SAFE ROUTES TO SCHOOL" PROJECT, FPN 433200-1-58/68-01; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida Department of Transportation and The Town of Lady Lake desires to facilitate the construction of the Villages Elementary School Sidewalks at CR 25; and,

WHEREAS, the State of Florida Department of Transportation has requested the Town of Lady Lake to execute and deliver to the State of Florida Department of Transportation the Local Agency Program Agreement for the aforementioned project, **FPN 433200-1-58/68-01**.

NOW, THEREFORE, BE IT RESOLVED by the Town Commission of the Town of Lady Lake that the Mayor of the Town of Lady Lake is hereby authorized to make, execute, and deliver to the State of Florida Department of Transportation the Local Agency Program Agreement for the aforementioned project, **FPN 433200-1-58/68-01**.

This Resolution shall take effect immediately upon its final adoption by the Town Commission.

RESOLVED this 7th day of November, 2016, in Lady Lake, Florida, by the Lady Lake Town Commission.

TOWN OF LADY LAKE, FLORIDA

Ruth Kussard, Mayor

ATTEST:

Kristen Kollgaard, Town Clerk

APPROVED AS TO FORM:

Derek Schroth, Town Attorney

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K-11

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: November 7, 2016- First Reading

SUBJECT: Ordinance 2016-30 – Douglas Schimerhorn & BJ Hall – Annexation of 2 lots consisting of approximately 0.95 +/- acres of land which are located at the corner of Lakeview Drive and Griffinview Drive, within Lake County, Florida (Alternate Keys 1770971 and 3868840).

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDED MOTION:

Staff Recommends approval of Ordinance 2016-30 - Douglas Schimerhorn & BJ Hall – Requesting annexation of 2 lots consisting of approximately 0.95 +/- acres of land which are located at the corner of Lakeview Drive and Griffinview Drive, within Lake County, Florida

Property owners, Douglas Schimerhorn and BJ Hall, have filed applications to annex properties consisting of 2 Lots located at the corner of Lakeview Drive and Griffinview Drive, approximately 3,000 Lineal Feet east of the Intersection of South Highway 27/441 and Griffinview Drive, within Lake County, Florida. The annexation application involves 0.95 +/- acres of property proposing a change from unincorporated Lake County into the Town of Lady Lake.

Currently, there is an existing manufactured home placed on Parcel 1, addressed as 38521 Lakeview Drive, and identified by alternate key number 1770971. This property is currently serviced by Town of Lady Lake Potable Water. As a condition for the Town to service water at this property under in-town limits customer rates, Mr. Schimerhorn and Ms. Hall signed a covenant to annex agreement on June 9, 2016. Now the property owners are fulfilling their requirement by submitting the annexation, small scale, and rezoning applications. Parcel 2 is currently vacant, and the applicant hasn't provided any specific plans or time frame if when this parcel will be developed.

The subject properties lie in Section 21, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application.

The annexation application was received on Monday, August 30, 2016, and has been reviewed and determined to be complete satisfying the necessary criteria as required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (11) within 150 feet of the properties proposed by annexation request were mailed Monday, September 26, 2016. The properties were also posted Monday, September 26, 2016.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed the application for Ordinance 2016-30, provided comments by September 26, 2016, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the October 10, 2016 meeting, the **Planning and Zoning Board** voted 4-0 to forward Ordinance 2016-30 to the Town Commission with the recommendation of approval.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2016-30 for second and final reading on Monday, November 21, 2016 at 6:00 p.m.

FISCAL IMPACT: \$ _____

Capital Budget Operating Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other

Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD *CEL*

Submitted

10/31/16

Date

FINANCE DEPARTMENT

Approved as to Budget Requirements

Date

TOWN ATTORNEY

Approved as to Form and Legality

Date

TOWN MANAGER *XK*

Approved Agenda Item for: *11-7-16*

Date

11-1-16

BOARD ACTION: Approved as Recommended

Disapproved

Tabled Indefinitely

Continued to Date Certain

Approved with Modifications

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ORDINANCE NO. 2016-30

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA; VOLUNTARILY ANNEXING PROPERTY BEING .95 +/- ACRES OF LAND OWNED BY DOUGLAS SCHIMERHORN AND BJ HALL, REFERENCED BY ALTERNATE KEYS 1770971 AND 3868840, TWO (2) LOTS LOCATED WITHIN LAKE COUNTY, FLORIDA; PROVIDING FOR REDEFINITION OF THE LAND BOUNDARIES OF THE TOWN OF LADY LAKE; PROVIDING FOR FILING OF THIS ORDINANCE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION IN ACCORDANCE WITH LAW.

Be it ordained and enacted by the Town Commission of the Town of Lady Lake, in Lake County, Florida, as follows:

Section 1. Pursuant to and under the authority of the provisions of Florida Statute 171.205 and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town of Lady Lake does hereby annex property being .95 +/- acres in the unincorporated area of Lake County, Florida; existing as both contiguous and non-contiguous to the Town, more particularly described in Exhibit "A".

Section 2. Upon final passage and adoption of this Ordinance, a copy hereof shall be filed with the Clerk of the Circuit Court of the Fifth Judicial Circuit, in and for Lake County, Florida, and also a copy shall be filed with the Department of State of the State of Florida.

Section 3. Should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 4. That all property, real and personal, within said annexed property described herein, as provided by this Ordinance, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties, and privileges of the said Town of Lady Lake, Florida, and the said rezoned property shall be liable proportionately, for all of the present outstanding and existing, as well as future indebtedness to the Town of Lady Lake, Florida, and all laws heretofore passed by the Legislature of the State of Florida, relating to and which now and hereafter constitute its Charter, shall apply to and have the same force and effect on such annexed territory as if all such annexed territory had been a part of the Town of Lady Lake, Florida at the time of the passage and approval of said laws and ordinances.

Section 5. This Ordinance shall become effective upon its adoption.

Section 6. In accordance with the provisions of Section 171.062, Florida Statutes, the property annexed in this Ordinance is subject to the Land Use Plan of the Lake County Comprehensive Plan and County zoning regulations until the Town adopts a Comprehensive Plan

1 Amendment to include this annexed parcel on the Future Land Use Map Series of the Town's
2 Comprehensive Plan.

3
4 **PASSED AND ORDAINED** by the Town Commission of the Town of Lady Lake, Florida,
5 this ___ day of _____, 2016.

6
7 **TOWN OF LADY LAKE, FLORIDA**

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9
10 _____
11 Ruth Kussard, Mayor

12
13 ATTEST:

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15 _____
16 Kristen Kollgaard, Town Clerk

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19 APPROVED AS TO FORM:

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21 _____
22 Derek Schroth, Town Attorney

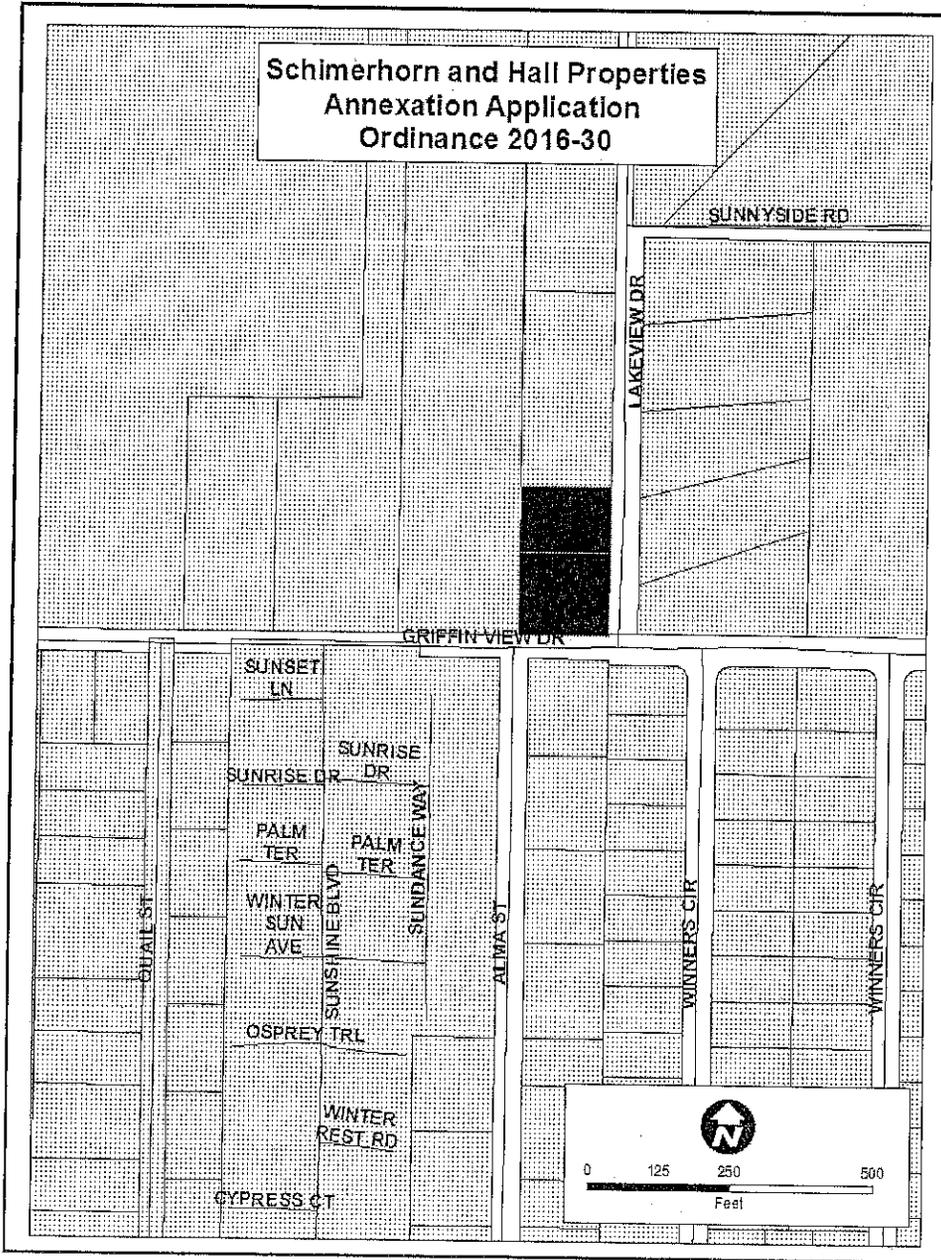
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32 Passed on Second/Final Reading: _____
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EXHIBIT "A" - Legal Descriptions and Map

Parcel 1 - 21-18-24-0001-000-00401; the North 129.50 feet of the South 274 feet of the East 159 feet of the Southwest 1/4 of the Northeast 1/4 of Section 21, Township 18 South, Range 24 East, in Lake County, Florida, ORB 4768 PG 2210; and

Parcel 2 - 21-18-24-0001-000-24200; the South 144.50 feet of the South 274 feet of the East 159 FT of the Southwest 1/4 of the Northeast 1/4 of Section 21, Township 18 South, Range 24 East, in Lake County, Florida, less the South 15 feet thereof for Road Right of Way. ORB 4768 PG 2210.



TOWN OF LADY LAKE
ANNEXATION APPLICATION

RECEIVED
AUG 30 2016
1770971 - Parcel #1
3868840 - Parcel #2

Alternate Key Number

- 1. Owner's Name: Douglas Schimmerhorn & BJ Hall
- Mailing Address: 38521 LAKEVIEW DR
- Email Address: _____
- Telephone #: 602-793-4915
- 2. Applicant's Name: Douglas Schimmerhorn
- Mailing Address: Same as above
- Email Address: _____
- Telephone #: _____

3. Applicant is: Owner Agent _____ Purchaser _____ Lessee _____ Optionee _____

4. Property Address/Location: 38521 Lakeview Dr., Lady Lake, FL 32159

5. Legal Description of Property to be annexed: see attached.

6. The property is located in the vicinity of the following streets: Glenview Dr. & Lakeview Drive

7. Area of the property: 41,382 Square feet 0.95 Acres

8. Utilities: Central Water Central Sewer _____ Well _____ Septic Tank

9. Existing County zoning of property: Lake County "R-2" Estate Residential

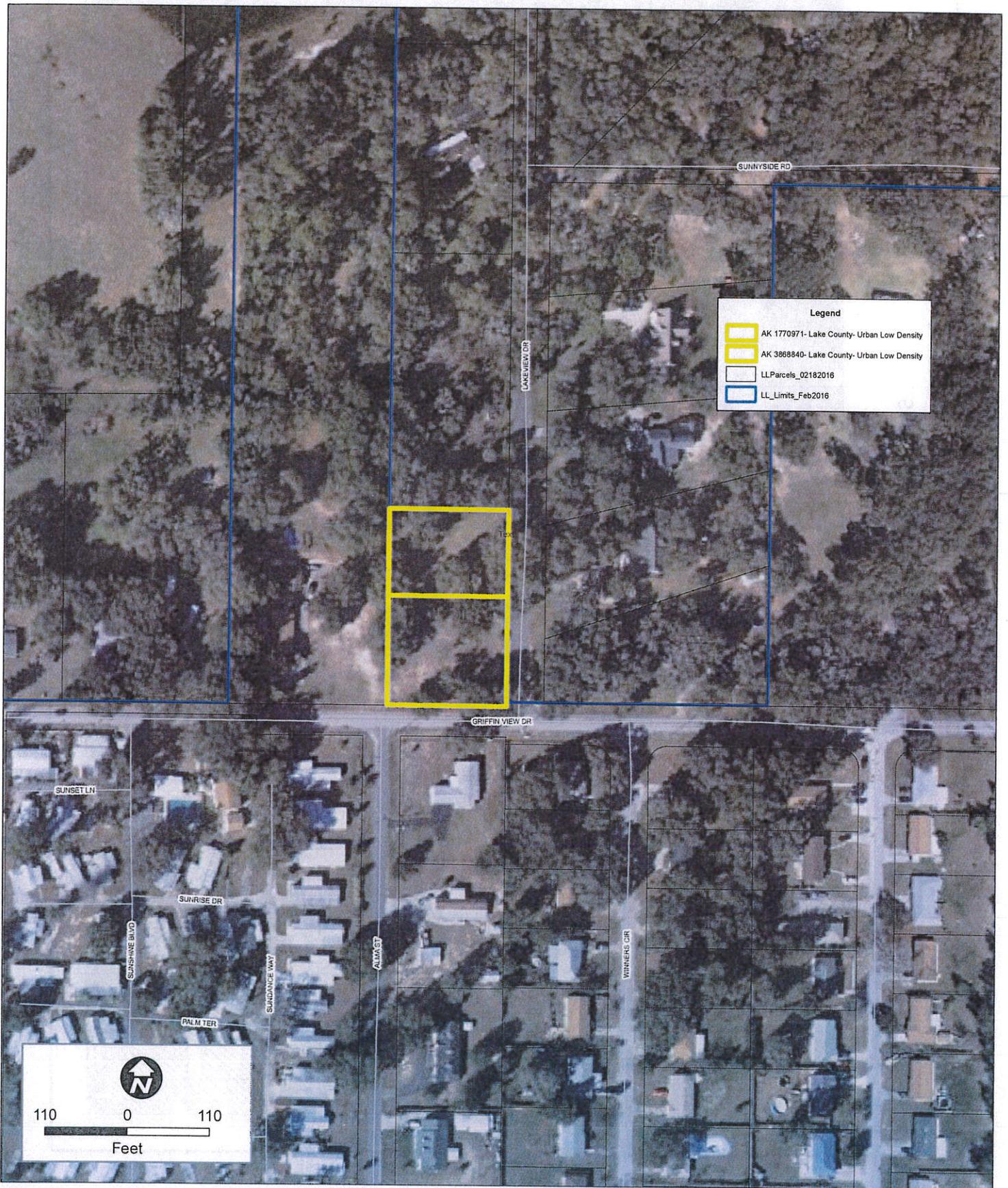
10. Requested zoning of property: Lady Lake "Mx-5" Mixed Low Density Residential

11. Number, square footage and present use of the existing structures on the property:
Parcel #1 - Single dwelling unit - Manufactured Home

12. Proposed use of the property: Residential

13. Has any land use application been filed within the last year in connection with this property? Yes _____ No . If yes, briefly describe the nature of the request and the date this was done:

Douglas Schimerhorn & BJ Hall Ordinance 2016-30 Annexation



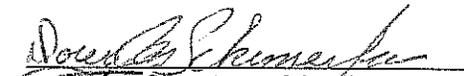
Property Locations



14. Attach a list of the owner's names and mailing addresses for all property lying within a one hundred fifty (150) foot radius surrounding the property legally described in this application.

Applications shall include a legal description of the property, proof of ownership and authorization from the owner if represented by an agent or contract purchaser.

I certify that the statements in this application are true to the best of my knowledge.


Signature of Applicant

PLEASE SUBMIT THE APPLICATION, ACCOMPANIED BY THE APPROPRIATE REVIEW FEES AND EIGHT (8) COPIES OF ALL APPLICABLE INFORMATION DOCUMENTATION AS REQUIRED BY THE LADY LAKE LAND DEVELOPMENT REGULATIONS, ADOPTED AUGUST 15, 1994 TO THE GROWTH MANAGEMENT DEPARTMENT. ADDITIONAL COPIES OF APPLICATION AND PLANS WILL BE REQUIRED PRIOR TO CONSIDERATION AT THE PLANNING AND ZONING BOARD AND TOWN COMMISSION MEETINGS.

Office Use:

Date Application Received: 8-30-2016 Received by: W. Thon
Annexation and Rezoning Fees Paid: \$2,500 Bundle

NOTE

All applications shall be signed by the owner of the property, or some person duly authorized by the owner to sign. This authority authorizing a person other than the owner to sign must be attached.

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

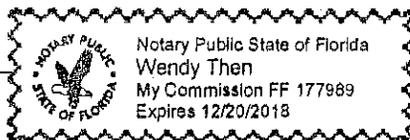
Before me, the undersigned authority personally appeared Douglas Schimerhorn
who being by me first duly sworn on oath, deposes and says:

- (1) That he is the fee-simple owner of the property legally described on page one of this application.
- (2) That he desires approval for annexation with MX-5 zoning classification to allow mixed Residential
- (3) That he has appointed Self to act as agent in his behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his stead.

Douglas Schimerhorn
Affiant (Owner's Signature)

The foregoing instrument was acknowledged before me this 30th day of August, 2016, by Douglas Schimerhorn, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Wendy Then
Notary Public



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

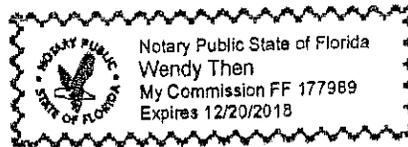
Before me, the undersigned authority personally appeared BJ Hall,
who being by me first duly sworn on oath, deposes and says:

- (1) That he is the fee-simple owner of the property legally described on page one of this application.
- (2) That he desires approval for annexation with 9815 zoning classification to allow mixed Residential
- (3) That he has appointed Douglas Schimmerhorn to act as agent in his behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his stead.

BJ Hall
Affiant (Owner's Signature)

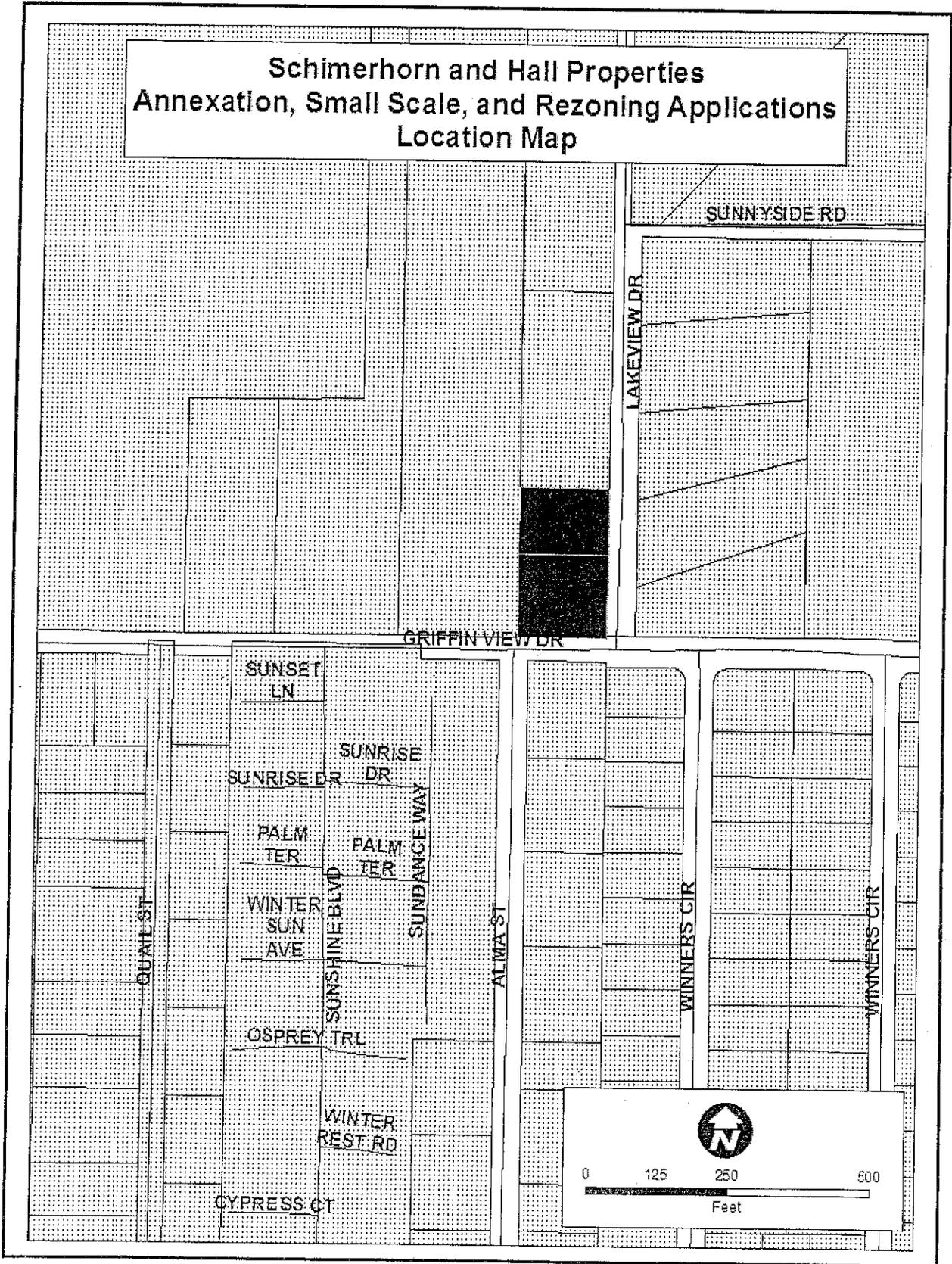
The foregoing instrument was acknowledged before me this 30th day of August 2016 by BJ Hall, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Wendy Then
Notary Public



LOCATION MAP

Schimerhorn and Hall Properties
Annexation, Small Scale, and Rezoning Applications
Location Map



AltKey	OwnerName	OwnerAddre	OwnerCity	OwnerState	OwnerZip
1746655	LAVALLE BETH ET AL	38548 LAKEVIEW DR	LADY LAKE	FL	32159
3868840	BAIRD HOME CORP	3495 US HWY 441	FRUITLAND PARK	FL	34731
3827698	BECKHAM CLARENCE D & CLEMENCE	38532 LAKEVIEW DR	LADY LAKE	FL	32159
3826370	WALZER DONALD A & NORENE N	38520 LAKEVIEW DR	LADY LAKE	FL	32159
3826369	TERRY SCOTT A & ADRIENNE K	2743 GRIFFINVIEW DR	LADY LAKE	FL	32159
1770971	BAIRD HOME CORP	3495 US HWY 441	FRUITLAND PARK	FL	34731
1698791	HARDMAN WALTER L JR & VIVIAN TRUS	9081 SILVER LAKE DR	LEESBURG	FL	34788
3874487	WISE BARBARA	38629 LAKEVIEW DR	LADY LAKE	FL	32159
1584850	REPOSA, DOROTHY J	405 ALMA ST	LADY LAKE	FL	32159
2524359	DELAND, DEREK L & MAILE	402 WINNERS CIR	LADY LAKE	FL	32159
2538031	404 WINNER CIRCLE LLC	4223 BAIR AVE	FRUITLAND PARK	FL	34731
1698782	TAMBURRO PROPERTIES III, LLC	401 SUNSHINE BLVD	LADY LAKE	FL	32159

Schimerhorn & Hall- Annexation, Small Scale, and Rezoning Applications- Ord. 2016-30, 2016-31, and 2016-32

Select Language ▼

PROPERTY RECORD CARD

General Information

Owner Name:	SCHIMERHORN DOUGLAS &	Alternate Key:	1770971
Mailing Address:	BJ HALL 38521 LAKEVIEW DR LADY LAKE, FL 32159-3912 Update Mailing Address	Parcel Number:	21-18-24-000100000401
		Millage Group and City:	0001 (UNINCORPORATED)
		Total Certified Millage Rate:	15.6488
		Trash/Recycling /Water/Info:	My Public Services Map
Property Location:	38521 LAKEVIEW DR LADY LAKE FL 32159 Update Property Location	Property Name:	-- Submit Property Name
		School Locator:	School and Bus Map
Property Description:	N 129.50 FT OF S 274 FT OF E 159 FT OF SW 1/4 OF NE 1/4 ORB 4768 PG 2210		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT RESIDENTIAL (0000)	130	159		130	FF	\$0.00	\$9,481.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
1098 / 2099	3/1/1991	Quit Claim Deed	Unqualified	Improved	\$0.00
1129 / 1769	9/1/1991	Warranty Deed	Unqualified	Improved	\$0.00
1137 / 1660	11/1/1991	Warranty Deed	Unqualified	Improved	\$0.00
1383 / 948	7/1/1995	Warranty Deed	Unqualified	Improved	\$0.00
2860 / 1250	6/14/2005	Trustees Deed	Unqualified	Improved	\$0.00
2899 / 1509	7/27/2005	Quit Claim Deed	Unqualified	Improved	\$0.00
3128 / 2418	4/6/2006	Quit Claim Deed	Unqualified	Improved	\$0.00
3376 / 1039	2/14/2007	Warranty Deed	Qualified	Vacant	\$70,000.00
3925 / 2277	4/23/2010	Warranty Deed	Unqualified	Vacant	\$100.00
4156 / 102	4/23/2012	Warranty Deed	Multi-Parcel	Vacant	\$22,500.00
4768 / 2210	3/30/2016	Warranty Deed	Multi-Parcel	Vacant	\$40,000.00

[Click here to search for mortgages, liens, and other legal documents.](#)

Values and Estimated Ad Valorem Taxes

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$9,481	\$9,481	\$9,481	5.11800	\$48.52
LAKE COUNTY MSTU AMBULANCE	\$9,481	\$9,481	\$9,481	0.46290	\$4.39
LAKE COUNTY MSTU FIRE	\$9,481	\$9,481	\$9,481	0.47040	\$4.46
SCHOOL BOARD STATE	\$9,481	\$9,481	\$9,481	4.62700	\$43.87
SCHOOL BOARD LOCAL	\$9,481	\$9,481	\$9,481	2.24800	\$21.31
LAKE COUNTY MSTU STORMWATER	\$9,481	\$9,481	\$9,481	0.49570	\$4.70
ST JOHNS RIVER FL WATER MGMT DIST	\$9,481	\$9,481	\$9,481	0.28850	\$2.74
LAKE COUNTY VOTED DEBT SERVICE	\$9,481	\$9,481	\$9,481	0.15240	\$1.44
LAKE COUNTY WATER AUTHORITY	\$9,481	\$9,481	\$9,481	0.25540	\$2.42
NORTH LAKE HOSPITAL DIST	\$9,481	\$9,481	\$9,481	1.00000	\$9.48
				Total:	Total:
				15.1183	\$143.33

Exemptions Information

This property is benefitting from the following exemptions with a checkmark ✓

First Homestead Exemption (up to \$25,000)	Learn More View the Law
Additional Homestead Exemption (up to an additional \$25,000)	Learn More View the Law
Limited Income Senior Exemption (applied to county millage - up to \$50,000)	Learn More View the Law
Limited Income Senior Exemption (applied to city millage - up to \$25,000) Ⓢ	Learn More View the Law
Limited Income Senior 25 Year Residency (county millage only-exemption amount varies)	Learn More View the Law
Widow / Widower Exemption (up to \$500)	Learn More View the Law
Blind Exemption (up to \$500)	Learn More View the Law
Disability Exemption (up to \$500)	Learn More View the Law
Total Disability Exemption (amount varies)	Learn More View the Law
Veteran's Disability Exemption (\$5000)	Learn More View the Law
Veteran's Total Disability Exemption (amount varies)	Learn More View the Law
Veteran's Combat Related Disability Exemption (amount varies)	Learn More View the Law
Deployed Servicemember Exemption (amount varies)	Learn More View the Law
Surviving Spouse of First Responder Exemption (amount varies)	Learn More View the Law
Conservation Exemption (amount varies)	Learn More View the Law
Tangible Personal Property Exemption (up to \$25,000)	Learn More View the Law
Religious, Charitable, Institutional, and Organizational Exemptions (amount varies)	Learn More View the Law
Government Exemption (amount varies)	Learn More View the Law

Exemption Savings Ⓢ

The exemptions marked with a ✓ above are providing a tax dollar savings of:
\$0.00

Assessment Reduction Information (3% cap, 10% cap, Agricultural, Portability, etc.)

This property is benefitting from the following assessment reductions with a checkmark ✓

Save Our Homes Assessment Limitation (3% assessed value cap)	Learn More View the Law
Save Our Homes Assessment Transfer (Portability)	Learn More View the Law
Non-Homestead Assessment Limitation (10% assessed value cap)	Learn More View the Law
Conservation Classification Assessment Limitation	Learn More View the Law
Agricultural Classification	Learn More View the Law

Assessment Reduction Savings

The assessment reductions marked with a ✓ above are providing a tax dollar savings of: **\$0.00**

PROPERTY RECORD CARD

General Information

Owner Name:	SCHIMERHORN DOUGLAS &	Alternate Key:	3868840
Mailing Address:	BJ HALL 38521 LAKEVIEW DR LADY LAKE, FL 32159 Update Mailing Address	Parcel Number:	21-18-24-000100024200
		Millage Group and City:	0001 (UNINCORPORATED)
		Total Certified Millage Rate:	15.6488
		Trash/Recycling /Water/Info:	My Public Services Map
Property Location:	LADY LAKE FL 32159 Update Property Location	Property Name:	-- Submit Property Name
		School Locator:	School and Bus Map
Property Description:	S 144.50 FT OF E 159 FT OF SW 1/4 OF NE 1/4--LESS S 15 FT FOR RD R/W-- ORB 4768 PG 2210		

Land Data

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4768 / 2210	3/30/2016	Warranty Deed	Multi-Parcel	Vacant	\$40,000.00

[Click here to search for mortgages, liens, and other legal documents.](#)

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Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
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SCHOOL BOARD LOCAL	\$9,481	\$9,481	\$9,481	2.24800	\$21.31

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ST JOHNS RIVER FL WATER MGMT DIST	\$9,481	\$9,481	\$9,481	0.28850	\$2.74
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LAKE COUNTY WATER AUTHORITY	\$9,481	\$9,481	\$9,481	0.25540	\$2.42
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				Total:	Total:
				15.1183	\$143.33

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Additional Homestead Exemption (up to an additional \$25,000)	Learn More View the Law
Limited Income Senior Exemption (applied to county millage - up to \$50,000)	Learn More View the Law
Limited Income Senior Exemption (applied to city millage - up to \$25,000) Ⓞ	Learn More View the Law
Limited Income Senior 25 Year Residency (county millage only-exemption amount varies)	Learn More View the Law
Widow / Widower Exemption (up to \$500)	Learn More View the Law
Blind Exemption (up to \$500)	Learn More View the Law
Disability Exemption (up to \$500)	Learn More View the Law
Total Disability Exemption (amount varies)	Learn More View the Law
Veteran's Disability Exemption (\$5000)	Learn More View the Law
Veteran's Total Disability Exemption (amount varies)	Learn More View the Law
Veteran's Combat Related Disability Exemption (amount varies)	Learn More View the Law
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Government Exemption (amount varies)	Learn More View the Law

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Assessment Reduction Information (3% cap, 10% cap, Agricultural, Portability, etc.)

This property is benefitting from the following assessment reductions with a checkmark ✓

Save Our Homes Assessment Limitation (3% assessed value cap)	Learn More View the Law
--	---

Save Our Homes Assessment Transfer (Portability)

[Learn More](#) [View the Law](#)

Non-Homestead Assessment Limitation (10% assessed value cap)

[Learn More](#) [View the Law](#)

Conservation Classification Assessment Limitation

[Learn More](#) [View the Law](#)

Agricultural Classification

[Learn More](#) [View the Law](#)

Assessment Reduction Savings

The assessment reductions marked with a ✓ above are providing a tax dollar savings of: **\$0.00**

RETURN TO AND
THIS INSTRUMENT PREPARED BY:
TIMIOS, INC - Audrey Rattler
5716 CORSA AVE SUITE 102
WESTLAKE VILLAGE, CA 91362
DAVID KIM

SEND TAX BILLS TO:
DOUGLAS SCHIMERHORN
38521 LAKEVIEW DR
LADY LAKE, FL 32159-3912

AS A NECESSARY INCIDENT TO THE FULFILLMENT OF
CONDITIONS CONTAINED IN A TITLE INSURANCE
COMMITMENT ISSUED BY IT.

PROPERTY APPRAISERS PARCEL IDENTIFICATION:
PARCEL ID: 21-18-24-000100000401

GRANTEE(S):
DOUGLAS SCHIMERHORN AND BJ HALL

FILE NO: 1225860

WARRANTY DEED

This Warranty Deed Made this 30 day of March, 2016,

By BAIRD HOME CORPORATION, whose post office address is: 3495 US-441, FRUITLAND PARK, FL 34731, hereinafter called the grantor

To DOUGLAS SCHIMERHORN, AN UNMARRIED MAN AND BJ HALL, AN UNMARRIED WOMAN, whose post office address is: 38521 LAKEVIEW DR, hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of FORTY THOUSAND Dollars (\$40,000.00), and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in LAKE County, Florida, viz:

THE FOLLOWING DESCRIBED LAND, SITUATE, LYING AND BEING IN LAKE COUNTY, FLORIDA, TO-WIT:

PARCEL 1:

THE NORTH 129.50 FEET OF THE SOUTH 274 FEET OF THE EAST 159 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA.

PARCEL 2:

THE SOUTH 144.50 FEET OF THE SOUTH 274 FEET OF THE EAST 159 FEET OF THE SOUTHWEST 1/5 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, LESS THE SOUTH 15 FEET THEROF FOR ROAD RIGHT OF WAY.

TOWN OF LADY LAKE
409 FENNEL BULEVARD
LADY LAKE FL 32159

COVENANT TO ANNEX AGREEMENT



This agreement hereby serves to acknowledge that the Town of Lady Lake, Florida, shall provide central water service to the property referenced under "Exhibit A", currently under the jurisdiction of unincorporated Lake County, Florida, and that the water consumption shall be billed in accordance with the Incorporated Property rates established by the Town at the time of execution of this agreement; providing an exemption from the 25% surcharge as per the Town of Lady Lake Land Development Regulations, Chapter 14, Section 11, d), 2., effective upon connection.

In exchange for the reduced utility rate, property owner/s hereby acknowledge and agree that:

Within thirty (30) days of connection to the central water system of the Town of Lady Lake, Florida, applications shall be filed to annex property owned by Douglas Schimmerhorn and referenced by Alternate Key No. 1770971. Concurrent with the filing of the annexation application, applications for a Small Scale Future Land Use Amendment, as well as a Rezoning Application shall also be filed for the property and fully advanced through the public hearing process of the Town of Lady Lake to completion and subsequently recorded in the Official Records of Lake County, Florida.

This agreement shall be binding upon the parties below and shall be enforced under the laws of the State of Florida. This is the entire agreement.

Present Owners:

Douglas Schimmerhorn
Douglas Schimmerhorn

B J Hall
B J Hall

Witness:
[Signature]
Signature

Witness:
[Signature]
Signature

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 9th day of June, 2016 by Douglas Schimmerhorn and B.J. Hall, Owners of the Property, who is personally known to me or has produced Concealed Weapon's License as identification.

[Signature]

My Commission Expires:

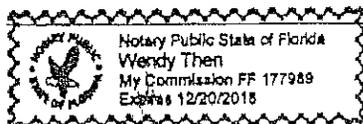
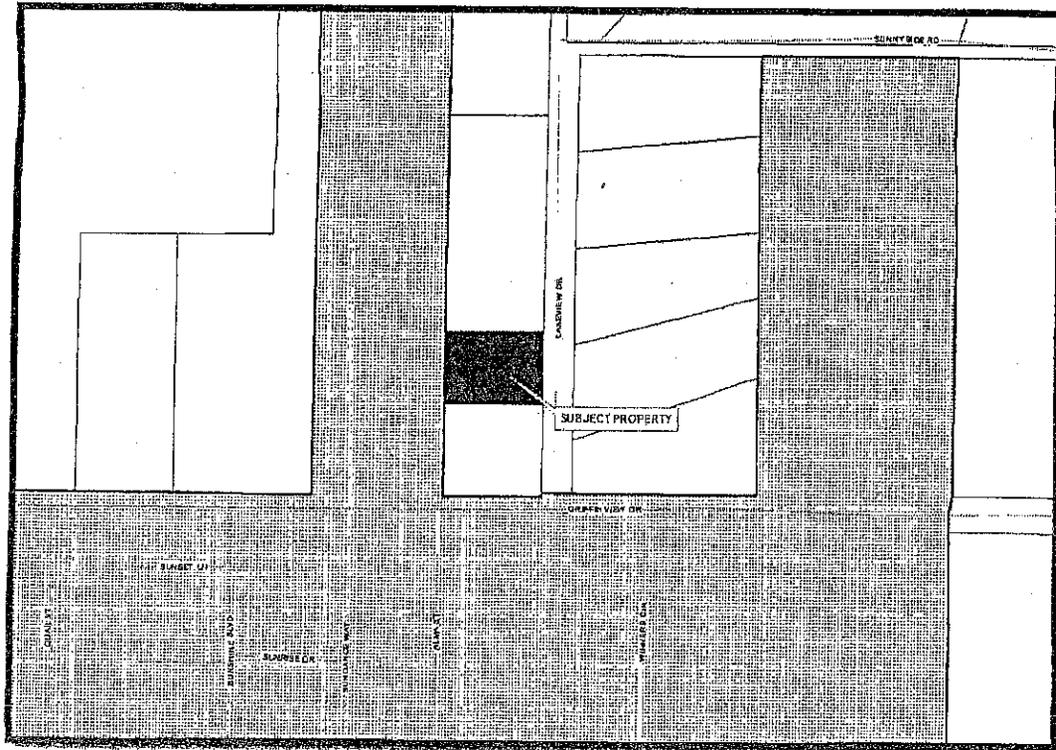
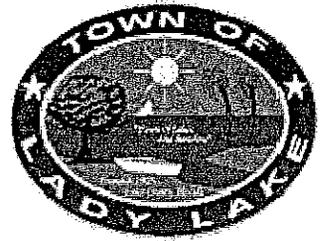


Exhibit "A" - Legal Description & Map of Property

N 129.50 FT OF S 274 FT OF E 159 FT OF SW 1/4 OF NE 1/4 OF SECTION 21 TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA. ORB 4768 PG 2210



Municipal Complex, 409 Fennell Boulevard, Lady Lake, Florida 32159
(352) 751-1500 FAX (352) 751-1510 www.ladylake.org



September 26, 2016

RE: Annexation Ordinance 2016-30, Small Scale Comprehensive Plan Amendment 2016-31, and Rezoning Ordinance 2016-32

Dear Property Owner:

This is to notify you that applications have been filed with the Town of Lady Lake, by Douglas Schimerhorn and BJ Hall, to annex, rezone, and amend the future land use designation of two (2) parcels approximately +/- .95 acres, located at the corner of Lakeview Drive and Griffinview Drive, approximately 3000 Lineal Feet east of the Intersection of South Highway 27/441 and Griffinview Road, within Lake County, Florida. The applicant is seeking to rezone the property from Lake County - Estate Residential (R-2) to Town of Lady Lake Mixed Low Density Residential (MX-5). The proposed small-scale comprehensive plan amendment is to change the future land use designation from Lake County Urban Low Density to Lady Lake Mixed Residential Low Density (MR-LD). At the current time, there is an existing manufactured home place on Parcel 1, addressed as 38521 Lakeview Drive, and identified by alternate key number 1770971. Parcel 2 (the corner lot) is currently vacant. Based on the dimensions and lot size, Parcel 2 is buildable and meets the minimum design guidelines of the MX-5 Zoning District for the property owner to place a single family dwelling unit.

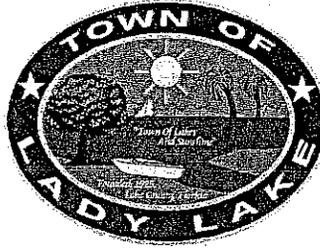
Public hearing dates on the petitions are scheduled for the following dates:

PLANNING AND ZONING BOARD - Monday, October 10, 2016 at 5:30 p.m.
LOCAL PLANNING AGENCY - Monday, November 7, 2016 at 5:30 p.m.
TOWN COMMISSION MEETING - Monday, November 7, 2016 at 6:00 p.m.
TOWN COMMISSION MEETING- Monday, November 21, 2016 at 6:00 p.m.

You are invited to attend these public hearings to be held in the Town Hall Commission Chambers, 409 Fennell Boulevard, Lady Lake, Florida. The petitions may be inspected at Town Hall during regular business hours (7:30 a.m. to 6 p.m., Monday - Thursday) in the Growth Management Department. Any person wishing to appeal a decision of this public body should ensure themselves that a verbatim record of the proceedings is made. If you have any questions regarding this matter, please call me at (352) 751-1582 or via email at wthen@ladylake.org.

Sincerely,

Wendy Then, CFM
Town Planner



TECHNICAL REVIEW COMMITTEE COMMENTS
REVIEW September 26, 2016

Project: Douglas Schimerhorn and BJ Hall Annexation
Proposal: Annexation- Ord. 2016-30
Small Scale FLU Comprehensive Plan Amendment- Ord. 2016-31
Rezoning – Ord. 2016-32

Description: On Tuesday, August 30, 2016, applications have been filed with the Town of Lady Lake, by Douglas Schimerhorn and BJ Hall to annex, rezone, and amend the future land use designation of two (2) parcels approximately +/- .95 acres, located at the corner of Lakeview Drive and Griffinview Drive, approximately 3000 Lineal Feet east of the Intersection of South Highway 27/441 and Griffinview Road, within Lake County, Florida. The applicant is seeking to rezone the property from Lake County - Estate Residential (R-2) to Town of Lady Lake Mixed Low Density Residential (MX-5). The proposed small-scale comprehensive plan amendment is to change the future land use designation from Lake County Urban Low Density to Lady Lake Mixed Residential Low Density (MR-LD).

At the current time, there is an existing manufactured home place on Parcel 1, addressed as 38521 Lakeview Drive, and identified by alternate key number 1770971. This property is currently serviced by Town of Lady Lake Potable Water. The Town does not service Sewer at this location, so the property owners were required to acquire a Septic Tank permit through Lake County Health Dept.- Environmental Division.

Parcel 2 is currently vacant. Based on the dimensions and lot size, the parcel is buildable and meets the minimum design guidelines of the MX-5 Zoning District to place a single family dwelling unit. Unless central sewer becomes available at this location, the property cannot be split and will be required to be developed as one parcel allowing a maximum of one (1) single family dwelling unit per parcel (per the MX-5 Zoning District, parcels with Septic Systems are required to have a minimum of 12,500 square feet in size).

Below are staff comments from the Town of Lady Lake regarding your development project. A hard copy via hand delivery and an electronic copy via e-mail are provided to the applicant. Comments are organized by department and must be sufficiently addressed before the proposal may proceed. If a re-submittal is warranted, the applicant shall provide written responses to each individual staff comment contained within this transmittal. **Re-submittals will not be accepted without bulleted written responses.**

Following submittal of any required revisions and responses, correspondence will be forwarded indicating the proposal's status, either (1) requiring additional revision or documentations; or (2) ready for approval. Site plans are subject to public hearing, as well as plats, annexation requests, zoning requests, and comprehensive plan requests. When applicable, you will receive written notification that the item is

scheduled for review by the Planning and Zoning Board or Town Commission. For additional information, contact Thad Carroll at (352) 751-1521.

GROWTH MANAGEMENT

Questions may be directed to Wendy Then, at wthen@ladylake.org

1. Application is deemed complete. No further comments at this time.
-

POLICE

Questions may be directed to Chief Chris McKinstry at cmckinstry@ladylake.org

1. No Comments (Email dated 09-12-2016).
-

FIRE

Questions may be directed to Kerry Barnett at kbarnett@firesafetycons.com:

1. No construction is proposed; therefore, no comments were obtained from the Fire Inspector regarding this proposed annexation.
-

BUILDING

Questions may be directed to Dallas Foss, Building Official at dfoss@usanova.com:

1. No construction is proposed; therefore, there are no comments as this time.
-

PUBLIC WORKS

Questions may be directed to Butch Goodman, Utilities Supervisor at bgoodman@ladylakepw.org

1. Property is currently serviced by Town of Lady Lake Potable Water. The Town does not service Sewer at this location, so the property owners were required to acquire a Septic Tank permit through Lake County Health Dept.-Environmental Division.
-



PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: October 10, 2016

SUBJECT: Ordinance 2016-30 – Douglas Schimerhorn & BJ Hall – Annexation of 2 lots consisting of approximately .95 +/- acres of land which are located at the corner of Lakeview Drive and Griffinview Drive, within Lake County, Florida (Alternate Keys 1770971 and 3868840).

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDED MOTIONS:

1. Motion to forward Ordinance 2016-30 - Douglas Schimerhorn & BJ Hall – Annexing 2 lots consisting of approximately .95 +/- acres of land which are located at the corner of Lakeview Drive and Griffinview Drive, within Lake County, Florida, with the recommendation of approval.
2. Motion to forward Ordinance 2016-30- Douglas Schimerhorn & BJ Hall – Annexing 2 lots consisting of approximately .95 +/- acres of land which are located at the corner of Lakeview Drive and Griffinview Drive, within Lake County, Florida, with the recommendation of denial.

Staff is in support of Motion Number 1

Property owners, Douglas Schimerhorn and BJ Hall, have filed applications to annex properties consisting of 2 Lots located at the corner of Lakeview Drive and Griffinview Drive, approximately 3000 Lineal Feet east of the Intersection of South Highway 27/441 and Griffinview Drive, within Lake County, Florida. The annexation application involves 0.95 +/- acres of property proposing a change from unincorporated Lake County into the Town of Lady Lake.

Currently, there is an existing manufactured home placed on Parcel 1, addressed as 38521 Lakeview Drive, and identified by alternate key number 1770971. This property is currently serviced by Town of Lady Lake Potable Water. As a condition for the Town to service water at this property, Mr. Schimerhorn and Ms. Hall signed a covenant to annex agreement on June 9, 2016. Now the property owners are fulfilling their requirement by submitting the annexation, small scale, and rezoning applications. Parcel 2 is currently vacant, and the applicant hasn't provided any specific plans or time frame if when this parcel will be developed.

The subject properties lie in Section 21, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application.

The annexation application was received on Monday, August 30, 2016, and has been reviewed and determined to be complete satisfying the necessary criteria as required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (11) within 150 feet of the properties proposed by annexation request were mailed Monday, September 26, 2016. The properties were posted Monday, September 1, 2016.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2016-30, provided comments by September 26, 2016, and determined the application to be complete and ready for transmittal to the P&Z Board.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2016-30 for first reading on Monday, November 7, 2016 at 6:00 p.m. The second and final reading will be held on Monday, November 21, 2016 at 6:00 p.m.

FISCAL IMPACT: \$ _____

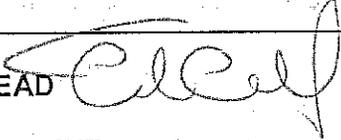
Capital Budget Operating Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other

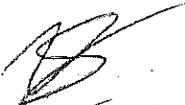
Support Documents/Contracts Available for Review in Manager's Office

(27)
10-3-2016

DEPARTMENT HEAD  Submitted 10/3/2016 Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

TOWN ATTORNEY Approved as to Form and Legality Date

TOWN MANAGER  Approved Agenda Item for: 10-4-16 Date

BOARD ACTION: Approved as Recommended Disapproved
 CHASSON/BAUER 4-0

Tabled Indefinitely Continued to Date Certain

Approved with Modifications

CC: THAD - G.M. ✓

1 and Griffinview Drive, within Lake County, Florida. The annexation application involves 0.95 +/-
2 acres of property proposing a change from unincorporated Lake County into the Town of Lady
3 Lake.

4
5 Ms. Then stated currently there is an existing manufactured home placed on Parcel #1, addressed as
6 38521 Lakeview Drive, and identified by alternate key number 1770971. Parcel #2 is identified by
7 alternate key number 3868840 and is currently vacant. Ms. Then stated the applicant has not
8 provided any specific plans or timeframe as to when this parcel will be developed. She reported
9 that the appropriate legal descriptions, a location map, and a sketch of the property have been
10 included with the submitted application.

11
12 Ms. Then reported per Town of Lady Lake line development regulations, owners of property
13 outside of the Town limits are required to execute an irrevocable recordable covenant agreeing to
14 annex their property when it is contiguous to Town property, pursuant to Florida Statute Chapter
15 171. Subject property Parcel #1 is currently serviced by Town of Lady Lake potable water. As a
16 condition for the Town to service water at this property, Mr. Schimerhorn and Ms. Hall signed a
17 Covenant to Annex Agreement on June 9, 2016. The property owners are now fulfilling their
18 requirement by submitting the annexation, small scale, and rezoning applications.

19
20 Ms. Then presented a map showing the location of the two parcels. The subject properties are on
21 the corner of Lakeview Drive and Griffinview Drive.

22
23 Ms. Then emphasized that this property is currently located within the Lake County jurisdiction and
24 all of the building permits for the property improvements were issued through the Lake County
25 Building Department.

26
27 Ms. Then presented an aerial view of the properties and adjacent properties. She stated the subject
28 property lies in Section 21, Township 18 South, Range 24 East, in Lake County, Florida.

29
30 The annexation application was received on Monday, August 30, 2016, and has been reviewed and
31 determined to be complete satisfying the necessary criteria as required for annexation under
32 statutory requirements. The application was found to meet the requirements of the Land
33 Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for
34 transmittal to the Town Commission.

35
36 Notices to inform the surrounding property owners (11) within 150 feet of the properties proposed
37 for annexation request were mailed Monday, September 26, 2016 and advertised in the newspapers.
38 No objections or letters of support have been received. Ms. Then stated she received a telephone
39 inquiry regarding the type of land use that was involved. This person is not one of the surrounding
40 property owners.

41
42 The Technical Review Committee (TRC) members individually reviewed the application for
43 Ordinance No. 2016-30, provided comments by September 26, 2016, and determined the
44 application to be complete and ready for transmittal to the Planning and Zoning Board. The Town
45 Commission is scheduled to consider Ordinance No. 2016-30 for first reading on Monday,
46 November 7, 2016 at 6:00 p.m. The second and final reading will be held on Monday, November
47 21, 2016 at 6:00 p.m.

48
49 Ms. Then stated the applicant is present if there are any questions for the applicant and/or staff.
50

1 Vice Chair/Member Sigurdson asked for questions and comments from the Board and from those in
2 attendance.

3
4 Member Chiasson asked when a property is annexed into the Town of Lady Lake, will they pay
5 taxes to Lady Lake.

6
7 Ms. Then stated Member Chiasson is correct.

8
9 - Anthony LaValle, 38548 Lakeview Drive, Lady Lake, stated he is not opposed to anyone
10 building a home in his area and it should not be a personal issue moving forward. Mr. LaValle
11 stated his issue is with the small scale future land use comprehensive plan amendment. He
12 stated in the past, he has had conversations with developers who wanted to construct an
13 apartment complex on the vacant land near Mr. Schimerhorn's property. Mr. LaValle believes
14 the MX-5 zoning, Mixed Low Density Residential, would allow that to happen. He stated his
15 fear is that this property owner will construct a similar housing unit, and wants to ensure that his
16 property retains its value, along with the quality of life that he and the other Lakeview Drive
17 residents currently enjoy.

18
19 Ms. Then clarified the MX-5 rezoning classification does not include apartment buildings.

20
21 - Barbara Wise, 38629 Lakeview Drive, stated her four acres of property abuts Mr.
22 Schimerhorn's property. She stated that she has lived there for 50 years, and does not
23 understand how a manufactured home was permitted on a one-acre lot. She stated when she
24 originally purchased her property, it was just shy of five acres. Her desire was to purchase a
25 doublewide manufactured home and was told five acres is required for a manufactured home.
26 Ms. Wise stated she is opposed to all three of these ordinances. She stated she does not want
27 another manufactured house on that property. Having lived in her home for 50 years or more,
28 she sees no reason to change the zoning, and wants her property protected.

29
30 Thad Carroll stated the home is already constructed and placed on the property. He stated there is
31 not anything the Town of Lady Lake can do. The building permit was issued by Lake County; at
32 this point in time, Mr. Schimerhorn is annexing into the Town because they are connecting to the
33 Town utilities.

34
35 - Beth LaValle, 38548 Lakeview Drive, Lady Lake, stated the mobile home should not have been
36 permitted because the area is not zoned for mobile homes. She stated Mrs. Wise was not able to
37 have a mobile home on her property.

38
39 Mr. Carroll stated years ago if the property was zoned agricultural, a minimum of five acres was
40 required to erect a house. Over time the zoning classifications have changed and, therefore, the
41 mobile home was permitted by Lake County. He stated there nothing the Town can do because
42 they have the vested right to put the home on the property.

43
44 - Ms. LaValle stated her frustration is due to her belief that the manufactured home was
45 constructed without the proper channels being followed.

46
47 Mr. Carroll stated the processes that preceded tonight's meeting occurred through Lake County.
48 Tonight's Board meeting is to address the annexation.

1 - Donald Walzer, 38520 Lakeview Drive, Lady Lake, stated he feels this process is in reverse by
2 approving the annexation of this property. He stated Mr. Schimerhorn has already constructed a
3 home on the property, drilled a well and has water, and he does not understand why the property
4 needs to be annexed "...after the fact...".

5
6 Ms. Then stated there are two issues to clarify:

7
8 1) The Lake County Building Department issued the permit for the manufactured home. The
9 Town of Lady Lake was not involved in this process. According to the record, that property is
10 zoned residential, which she believes allows up to two dwelling units per acre. She encouraged
11 those in attendance to contact the Lake County Building Department to verify the zoning
12 classification for this property.

13
14 2) Based on the Town of Lady Lake Land Development Regulations Chapter 14, Section 14-
15 11(d)(2), any customer residing outside of the Town limits and are being serviced by Town
16 utility, they are required to annex their property into the town if their property is contiguous
17 with Town property. Ms. Then stated Mr. Schimerhorn and Ms. Hall have signed a Covenant to
18 Annex Agreement, which is the purpose of tonight's meeting.

19
20 Vice Chairperson/Member Sigurdson clarified once property is annexed, the property owners must
21 use Town utilities.

22
23 Ms. Then stated in order for that home to be constructed, they were required to come to the Town
24 for utilities. She emphasized that she is not aware of a well on the property for irrigation. The
25 potable water is serviced by the Town.

26
27 Member Chiasson stated the potable water is coming from the Town, and it has been coming from
28 the Town for the time that the mobile home has existed on this property.

29
30 Ms. Then stated this property has had Town utilities since the permit has been issued for this
31 property, approximately three to four months.

32
33 Member Chiasson stated the well that was mentioned is not used for potable/drinking water, and
34 asked if it is used for irrigation.

35
36 Ms. Then stated she has no knowledge of an irrigation well on the property.

37
38 - Douglas Schimerhorn, 38521 Lakeview Drive, Lady Lake, stated at the time he bought the land
39 and obtained the permit for the modular home through Lake County, his desire was to drill a
40 well and was told the Town of Lady Lake would not allow it. Therefore, he connected to the
41 Town's utility service. He emphasized there is no well on the property.

42
43 - Anthony LaValle stated years ago Ms. Wise lived on what is now Mr. Schimerhorn's property
44 and there was a four-inch well on that property for the entire time and it was capped. He stated
45 it was wrong to force Mr. Schimerhorn to connect to Town utilities and to be annexed in
46 because Mr. Schimerhorn should have been allowed to re-drill his well. Mr. LaValle stated the
47 well was potable water and not for irrigation purposes. He stated there was a house on that
48 property for many years because Ms. Wise purchased the house from the property owner, and
49 she and her family lived there for many years and drank the water from that well. Mr. LaValle
50 stated he wanted to clarify this for everyone.

1
2 Member Chiasson stated he is trying to understand the concern the neighbors have with Mr.
3 Schimerhorn being connected to the Town of Lady Lake water. He understands the concern
4 regarding an earlier statement about apartment buildings.

5
6 - Anthony LaValle stated it is not an issue of the water, it is the concern for the future land use for
7 this piece of property. He emphasized it is not a personal issue against Mr. Schimerhorn. He
8 stated continually there are situations where people, unfortunately because they are unaware of
9 their rights, are forced into a situation. He stated in the future what prevents Lake County or the
10 Town of Lady Lake to annex any given piece of property. He clarified that if Mr. Schimerhorn
11 was able to drill a well on his property, he should have been permitted to do so, and the Town of
12 Lady Lake should not have deemed the well non-potable. He stated if a test of the ground water
13 was conducted and the water is safe, he should've been able to drill a well. That way he would
14 not be required to annex his property nor would his taxes change.

15
16 Mr. LaValle reiterated his concern is for the future land use. He stated in the ten years that he
17 has lived in Lady Lake, he has seen many county properties annex into the Town under the
18 guise of improving the area. He feels the people in the area do not have a say in it. He stated
19 people need to voice their concerns regarding what is happening so they can retain the
20 neighborhoods for the way they want to live in them.

21
22 Member Chiasson stated he cannot predict what will occur in the future, and his responsibility at
23 this meeting is relative to this small piece of property.

24
25 - Anthony LaValle stated if Mr. Schimerhorn had a well on his property, why was he forced to
26 abandon that well and connect to Lady Lake utilities. He stated he should not have to have the
27 Town of Lady Lake service his water when he can have ground water from his property.

28
29 Member Chiasson asked the Town Planner to clarify the issue of the well versus the potable water.

30
31 Ms. Then stated the requirement by Lake County is when a permit for a new construction is applied
32 for, if that property is within the utility matrix and if the Town of Lady Lake is able to service water
33 to that property, even though that property is not within the Town's jurisdiction, the Town is
34 obligated to provide utilities. Therefore, Lake County will not issue a permit unless the property
35 owner makes connection with Town utilities. She stated as a result of Mr. Schimerhorn connecting
36 to the Town's utilities, he is required to annex into the Town. She stated this is through a joint
37 planning agreement between the Town of Lady Lake and Lake County.

38
39 Mr. Carroll stated the purpose of the joint planning agreements is to prevent the spread of wells and
40 septic tanks.

41
42 - Anthony LaValle stated he is very aware of zoning and commissions due to his construction
43 background. He stated the inference of this annexation issue is, if a person wants a particular
44 house then they have no choice but to annex, and that is the issue that upsets him. He stated if
45 his neighboring property owners decided to annex into the Town, then he would be forced to
46 annex because according to the law, he is in violation because he has a well and a septic tank on
47 his property.

48
49 Mr. Carroll stated this annexation issue applies only to new construction.

1 - Anthony LaValle stated he disagrees and checked with Lake County on this issue and was told
2 if there was a house surrounded by annexed property, the homeowner on the outside property is
3 forced to annex. Otherwise the property owner is deemed in violation and will be fined by Lake
4 County. He stated he can address this with Lake County. He stated his concern is in regards to
5 the future because neighbors and people in the area were forced to do this, and he does not want
6 it to continue to occur. He stated he is very happy living within the county jurisdiction.

7
8 Mr. Carroll stated the Town of Lady Lake is not doing forced annexations. He stated there are
9 enclaves that are voluntarily annexing into the Town. In addition, as far as the public comment
10 process involvement, in the future should zoning and/or land use changes come before the planning
11 and zoning board and the commissioners, those amendments are discussed in a public meeting.

12
13 - Anthony LaValle stated this is currently happening; if someone is surrounded by Town
14 property, they are forced to annex into the Town. He stated if the zoning changes in the future
15 and he does not comply, he will be subject to a fine. He stated he has spoken to neighbors near
16 him that this has happened to. Mr. LaValle stated one neighbor told him that he lived on his
17 property for 30 years and when he refused to annex into the Town like his neighboring property
18 owners did, the Town told him his property would be condemned. Per Mr. LaValle, this
19 neighbor was told by Town officials that he could no longer use his well or his septic system,
20 which had passed inspections.

21
22 Town Manager, Kris Kollgaard, asked Mr. LaValle if this incident happened within the Town of
23 Lady Lake.

24
25 - Mr. LaValle confirmed that it did. He stated the incident occurred actually in Lake County
26 when the property owners annexed into Lady Lake and the property owner he has been speaking
27 of was forced to annex into the Town.

28
29 Ms. Kollgaard stated this issue can be discussed with the Lake County officials. She stated that she
30 has worked for the Town of Lady Lake, in various capacities, for over 20 years and emphasized that
31 the Town does not force anyone to annex their property.

32
33 - Mr. LaValle stated he has seen the paperwork regarding this issue, and it had "the Town of Lady
34 Lake on it".

35
36 Ms. Kollgaard asked Mr. LaValle to bring her that paperwork and they will review it and discuss it.
37 She stated Mr. Schimerhorn's property was vacant when he had the mobile home placed on it. The
38 people who currently own homes on Lakeview Drive will not be told by the Town that they cannot
39 use their wells. She stated the St. John's River Management District is limiting the number of new
40 construction from being dependent on wells because of the aquifer. She stated the Town
41 Commissioners are not in favor of forced annexations.

42
43 - Barbara Wise stated she lived on what is now Mr. Schimerhorn's property for several years until
44 they sold that one-acre parcel. The people who bought the house lived there for many years,
45 and the house was razed approximately 10 years ago. It is her understanding that a well-driller
46 has been on the property recently and would like to know their findings.

47
48 Ms. Then stated she had no information aside from the survey submitted with the annexation
49 application. She emphasized the Board members are present to discuss the annexation, small scale

1 land development, and rezoning of Mr. Schimerhorn's property, not the well. She suggested that
2 issue could be discussed after tonight's meeting.

3
4 Chairperson/Member Gauder clarified that Mr. Schimerhorn is here because he applied for
5 annexation and his property abuts Town property.

6
7 Ms. Then stated he is correct. She stated if an applicant does not annex into the Town, they will be
8 assessed 25% of the monthly bill above and beyond what the regular fee is for water services. She
9 speculated that Mr. Schimerhorn has opted to annex into the Town because it is more cost effective.

10
11 Chairperson/Member Gauder stated Mr. Schimerhorn is here because he applied for annexation and
12 the Board's obligation is to vote on that issue. The water issue is outside of this Board's
13 responsibilities.

14
15 - Donald Melzer asked where is Lady Lake property in reference to Mr. Schimerhorn's property.

16
17 Ms. Then showed an aerial view of Mr. Schimerhorn's property, and stated it abuts Town property
18 on the west side.

19
20 Vice Chairperson Sigurdson asked if there were any further questions or comments. Hearing none,
21 he asked for a motion.

22
23 *Upon a motion by Member Chiasson and a second by Member Gauder, the Planning and Zoning*
24 *Board recommended transmittal and approval of Ordinance No. 2016-30 to the Town*
25 *Commission for consideration by the following roll call vote:*

26		
27	CHIASSON	YES
28	CONLIN	YES
29	SIGURDSON	YES
30	GAUDER	YES
31		

32 3. Ordinance No. 2016-31 – Douglas Schimerhorn & BJ Hall – Small Scale Future Land Use
33 Comprehensive Plan Amendment from Lake County Urban Low Density to Lady Lake Mixed
34 Residential Low Density for Two Lots consisting of Approximately 0.95 +/- Acres of land
35 which are located at the corner of Lakeview Drive and Griffinview Drive, within Lake
36 County, Florida (Alternate Keys 1770971 and 3868840). (Wendy Then)

37
38 Town Planner Wendy Then presented the background summary for this agenda item (on file in the
39 Clerk's Office). She stated that the applicants, property owners Douglas Schimerhorn and BJ Hall,
40 have filed applications to amend the Future Land Use designation of properties consisting of two
41 lots located at the corner of Lakeview Drive and Griffinview Drive, approximately 3000 lineal feet
42 east of the intersection of South Highway 27/441 and Griffinview Drive, within Lake County,
43 Florida. The small scale application involves 0.95 +/- acres of property proposing a change from
44 unincorporated Lake County into the Town of Lady Lake.

45
46 There is an existing manufactured home currently placed on Parcel #1, addressed as 38521
47 Lakeview Drive, and identified by alternate key number 1770971. This property is currently
48 serviced by Town of Lady Lake Potable Water. This property is located within Lake County
49 jurisdiction and the present land use is Lake County Urban Low Density. The requested future land
50 use is Lady Lake Mixed Residential Low Density.

Thad Carroll

From: Janiszewski, Michele <mjaniszewski@lakecountyfl.gov>
Sent: Tuesday, October 11, 2016 9:14 AM
To: Thad Carroll
Cc: Hartenstein, Rick; Wendy Then; McClendon, Tim
Subject: RE: Property Inquiry
Attachments: 5-17-2016 - BLD - Zoning Clearance - 2016040807 - 1770971 - BAIRD HOME C....tif;
7-5-2016 - BLD - Zoning Clearance - 2016060876 - 1770971 - SCHIMERHORN D....tif

Good Morning Thad,

You are correct, we do not differentiate between block/frame homes and modular/manufactured homes. The structure would need to meet our definition of a single family residence (provided below), the main component of which is the structure must be a minimum of 23'4" wide at its narrowest point. Single-wide trailers would not meet this criteria however some double-wides would meet this criteria.

I attached the two zoning permits issued for this property (alternate Key 1770971).

Single-Family Dwelling Unit. *One (1) Dwelling Unit, including modular and mobile homes, that may be detached from any other Dwelling Unit or may be attached to another single-family Dwelling Unit on an adjacent Lot by a common party wall.*

a. Single-Family Dwelling Units Shall have a minimum width of twenty-three (23) feet four (4) inches at the narrowest point, excluding any attached screened room, architectural design features, garages, Carports or utility area. Prior to the issuance of any Building or use Permits, site plans set forth under the general provision section Shall be submitted to the County Manager or designee for his approval.

b. The pitch of the main roof Shall not be less than one (1) foot of rise for each four (4) feet of horizontal run and a minimal overhang of six (6) inches. Installed gutter may be counted as part of the six (6) inch overhang.

c. A solid foundation or Permanent skirting Shall be required around the perimeter of the unit.

d. Any wheels, tongue or any transportation apparatus must be removed or enclosed.

Let me know if you have any questions.

Thank you,

Michele Janiszewski | Planner
Planning and Zoning Division
Lake County Board of County Commissioners
P: (352) 343-9641 | F: (352) 343-9767
E: mjaniszewski@lakecountyfl.gov | www.lakecountyfl.gov
Lake County's Municipal Code | Lake County's 2030 Comprehensive Plan

Please note: Florida has a very broad public records law. Most written communication to or from government officials regarding government/public business is public record available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

From: Thad Carroll [mailto:tcarroll@ladylake.org]
Sent: Tuesday, October 11, 2016 7:54 AM
To: Janiszewski, Michele
Cc: Hartenstein, Rick; Wendy Then

Subject: Property Inquiry

Importance: High

Michele,

Good morning. The Town of Lady Lake is in the process of annexing 38521 Lakeview Drive. Recently, a house was constructed there for which a building permit was obtained in Lake County. Adjacent county residents voiced opposition at the Planning and Zoning Board meeting last evening for a zoning change to the Town's designation of MX-5, which permits both manufactured homes as well as block and frame homes. The residents believe that the R-2 designation did not permit the manufactured homes; however, given that a permit was issued by Lake County, and no variance or notes were noted on the permit, the Town is under the opinion that R-2 does permit manufactured homes. Lastly, I referenced your LDR matrix last evening following the meeting and I saw where R-2 permits single family dwelling units which by definition includes modular and mobile homes.

Can you please confirm that a mobile/manufactured home is permitted under the Lake County R-2 zoning designation? Thank you for your assistance in this matter.

Sincerely,

Thad Carroll, AICP, LEED Green Associate
Growth Management Director
Town of Lady Lake
(352) 751-1521
tcarroll@ladylake.org

Note: The Growth Management Department's office hours are Monday - Thursday 7:30 am - 6:00 pm

Fla. Stat. 668.6076 "Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."



Department of Economic Growth
Zoning Permit

Zoning Permit #17850

Expires 30 days from the date of issuance

Approval Date: 6/27/2016

Address Screen #8273 JUN 27 2016

Type of proposed development: 06-27-2016 ~ 20 X 24 DETACHED GARAGE. DETACHED GARAGE SHALL HAVE THE SAME ARCHITECTUAL STYLE AND THE EXTERIOR WALLS AND ROOF ARE THE SAME MATERIAL AND COLOR AS THE PRINCIPAL DWELLING UNIT. PER LDR SECTION 10.01.01 (F)(1). ISSUED BY JAB

Job Address: 38521 LAKEVIEW DR City: LADY LAKE State: FL Zip: 32159
Alt. Key: 1770971 Section: 21 Township: 18 Range: 24 Found in Section 21 Lot: 00401 Block: 000

Legal Description: MLS-2007-0074 PARCEL 1: N 129.50 FT OF S 274 FT OF E 159 FT OF SW 1/4 OF NE 1/4 ORB 4156 PG 102

Owner Information:
SCHIMERHORN DOUGLAS & BJ HALL
38521 LAKEVIEW DR
LADY LAKE, FL 32159

Site Plan # ___ Project # ___ Application #
Accessory Dwelling Unit ORB PG Unity of Title ORB PG Lot Split ORB 3545 PG 1058-1059 Lot Line Deviation ORB 3545 PG Variance # ___ Ordinance #

Districts:
Commissioner- 5 Road- C School- S Parks- C Zoning- R-2 Land Use Designation- ULOW St. Johns- N Green Swamp- N
Wekiva- N JPA- N Flood Map Page- 0170E Zone- X Elevation: Hazard- N Permit # ___
Wetland Affidavit- N County Road #PRIVATE Meets impervious Surface- YES # of Trees required- 5
Lot size- 20590.5 SF Min. sf of dwelling- 1500 SF Water/Well- LADY LAKE Sewer/Septic- SEPTIC

Setbacks:
Primary Structure- SFDU Front- 25' ROW Left- 10' PL Right- 10' PL Rear- 10' PL
Accessory Structure #1- DETACHED GARAGE Front- 25' ROW Left- 10' PL Right- 10' PL Rear- 10' PL
Accessory Structure #2- Front- Left- Right- Rear-

NOTE: If you are not using Bahia grass, only 60% of the landscaped areas can be grass and that the grass area must be irrigated separately.

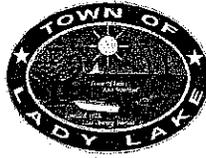
Health Department Use Only

Staff _____ Septic Permit # _____
No. of Bedrooms _____ Height above natural grade _____ Date _____
Comments _____

Addressing Use Only

Individual Property Longitude ___ Latitude: ___

Comments _____



K-12

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: November 7, 2016- First Reading

SUBJECT: Ordinance 2016-31 – Douglas Schimerhorn & BJ Hall – Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Urban Low Density to Lady Lake Mixed Residential Low Density for 2 lots consisting of approximately 0.95 +/- acres of land which are located at the corner of Lakeview Drive and Griffinview Drive, within Lake County, Florida (Alternate Keys 1770971 and 3868840).

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDED MOTION:

Staff Recommends approval of Ordinance 2016-31- a Small Scale Comprehensive Plan Amendment Application – Requesting to Change approximately 0.95 +/- acres of land from Lake County Urban Low Density to Lady Lake Mixed Residential Low Density (MR-LD).

Property owners, Douglas Schimerhorn and BJ Hall, have filed applications to amend the Future Land Use designation of properties consisting of 2 Lots located at the corner of Lakeview Drive and Griffinview Drive, approximately 3,000 Lineal Feet east of the Intersection of South Highway 27/441 and Griffinview Drive, within Lake County, Florida. The small scale application involves 0.95 +/- acres of property proposing a change from unincorporated Lake County into the Town of Lady Lake.

There is an existing manufactured home currently placed on Parcel 1, addressed as 38521 Lakeview Drive, and identified by alternate key number 1770971. This property is currently serviced by Town of Lady Lake Potable Water. As a condition for the Town to service water at this property under in-town limits customer rates, Mr. Schimerhorn and Ms. Hall signed a covenant to annex on June 9, 2016. Now the property owners are fulfilling their requirement by submitting the annexation, small scale, and rezoning applications. Parcel 2 is currently vacant, and the applicant hasn't provided any specific plans or time frame if when this parcel will be developed.

The subject properties lie in Section 21, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application.

The small scale application was received on Monday, August 30, 2016, and has been reviewed and determined to be complete satisfying the necessary criteria as required under statutory requirements. The application was found to meet the requirements of the

Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (11) within 150 feet of the properties proposed by annexation request were mailed Monday, September 26, 2016. The properties were posted Monday, September 1, 2016.

Concurrency Determination Statement

The applicants are annexing into the Town in accordance with the terms set forth in the Covenant to Annex Agreement executed between property owners and the Town on June 9, 2016.

Impact on Town Services

Potable Water-

- ♦ This property is currently serviced by Town of Lady Lake Potable Water and consumes one (1) Water Equivalent Residential Unit (ERU) or a maximum of 250 gallons per day. At the time the vacant parcel is proposed to be developed, an additional ERU would be required for a total of two (2) ERUs or 500 gallons per day combined for both parcels.

Sewer -

- ♦ The Town does not service Sewer at this location, so the property owners were required to acquire a Septic Tank permit through Lake County Health Dept.- Environmental Division when they applied to set up the existing manufactured home.

Schools -

- ♦ Using the updated Lake County student generation rates based on the recently updated impact fee study, minimum impact expected with a maximum of three school children (one student for each school):

	SF-DU	MF-DU	Mobile	Mobile Home School Impact (based on 2 MH)
Total	0.328	0.283	0.206	3
Elementary	0.152	0.143	0.097	1
Middle School	0.074	0.063	0.047	1
High School	0.102	0.077	0.062	1

Transportation -

- ♦ The local roadways that will be affected by these parcels are all Lake County Roads. Traffic impact is existing for Parcel 1. The proposed land amendment change is expected to generate a maximum of 4 additional PM peak hour trips should Parcel 2 be developed with the expectation that only one single family dwelling unit would be built at the location. Based on either build-out of one (1) single family dwelling unit or two (2) dwelling units at the maximum, there would be low impact to the local road system.

Parks & Recreation –

- ♦ The annexation, small scale future land use amendment, and the rezoning applications will cause minimum impact to the Town's Park and Recreation facility in that the highest use would be one (1) single family dwelling unit per each parcel.

Stormwater –

- ♦ Project will be required to adhere to SJRWMD guidelines. As per FEMA FIRM MAP 12069C0170E effective 12/18/2012, both parcels are Flood Zone X- Outside the 500-yr Floodplain.

Future Land Use

Subject Properties	Lake County Urban Low Density
Future Land Use of Adjacent Properties	
West	Lady Lake- Mixed Residential- Medium Density (MR-MD)
East	Lake County – Urban Low Density
North	Lake County – Urban Low Density
South	ROW/Lady Lake- Single Family Medium Density (SF-MD)

Comments:

- 1.) Annexation and Rezoning Applications have been submitted concurrently with this Small Scale Future Land Use Amendment Application.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed the application for Ordinance 2016-31, provided comments by September 26, 2016, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the October 10, 2016 meeting, the **Planning and Zoning Board** voted 4-0 to forward Ordinance 2016-31 to the Town Commission with the recommendation of approval.

Public Hearings

The **Local Planning Agency** is scheduled to consider Ordinance 2016-31 on Monday, November 7, 2016, at 5:45 p.m.

The **Town Commission** is scheduled to consider Ordinance 2016-31 for second and final reading on Monday, November 21, 2016 at 6:00 p.m.

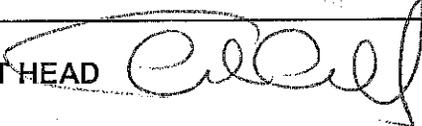
FISCAL IMPACT: \$ _____

Capital Budget Operating Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other

Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD 

Submitted 10/31/16

Date

FINANCE DEPARTMENT

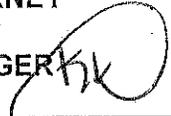
Approved as to Budget Requirements

Date

TOWN ATTORNEY

Approved as to Form and Legality

Date

TOWN MANAGER 

Approved Agenda Item for: 11-7-16

Date

11-1-16

BOARD ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain

Approved with Modifications

11-31-16


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ORDINANCE NO. 2016-31

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN THE TOWN OF LADY LAKE, FLORIDA; AMENDING THE TOWN OF LADY LAKE ORDINANCE NO. 81-1-(83), WHICH ESTABLISHED THE TOWN OF LADY LAKE COMPREHENSIVE PLAN; PROVIDING FOR A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN OF LADY LAKE TOWN COMMISSION:

Section 1. Legislative Findings, Purpose, and Intent.

a. On February 2, 1981, the Town Commission of the Town of Lady Lake adopted a Comprehensive Plan pursuant to Florida Statute 163.3184, known as the "Local Government Comprehensive Planning Act" ("Act"), which sets forth the procedures and requirements for a local government in the State of Florida to adopt a Comprehensive Plan and amendments (to a Comprehensive Plan).

b. The Town Commission adopted the Lady Lake Comprehensive Plan by Ordinance No. 81-1-(83), and amended said Ordinance by Ordinance No. 91-21, approved December 2, 1991, and Ordinance No. 94-16, approved on October 12, 1994.

c. The Town's Local Planning Agency reviewed a proposed amendment to the Future Land Use Map Series of the Town of Lady Lake Comprehensive Plan on November 7, 2016, and recommended to the Town Commission that said amendment be adopted by the Town Commission.

d. The Town Commission has held public hearings on the proposed amendment to the Future Land Use Map Series of the Comprehensive Plan, and received comments from the general public and the Local Planning Agency.

e. The Town of Lady Lake has complied with the requirements of the Act for amending the Comprehensive Plan.

Section 2. Authority.

This ordinance is adopted in compliance with and pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 – 163.3243, Florida Statutes, as amended.

Section 3. Small Scale Amendment to the Future Land Use Element Map Series.

The Comprehensive Plan, as amended, is hereby further amended by amending the Future Land Use Element Map Series with the small scale amendment as indicated below:

Applicant/Owner: Douglas Schimerhorn and BJ Hall

1 General Location: Corner of Lakeview Drive and Griffinview Drive, approximately
2 3000 lineal feet east of the intersection of South Highway 27/441
3 and Griffinview Drive, within Lake County, Florida.

4
5 Acres: .95 +/- Acres

6
7 Future Land Use: Change **from** Lake County – Urban Low **to** Town of Lady Lake
8 Mixed Residential- Low Density (MR-LD).
9

10 Graphic representation of this Small Scale Future Land Use Element Map Amendment is shown
11 in the attached “Exhibit A”.

12
13 **Section 4. Severability**

14
15 The provisions of this Ordinance are declared to be separable and if any section, sentence, clause
16 or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such
17 decision shall not effect the validity of the remaining sections, sentences, clauses or phrases of
18 this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance
19 shall stand notwithstanding the invalidity of any part.
20

21 **Section 5. Effective Date.**

22
23 This ordinance shall become effective as provided in Chapter 163, Florida Statutes.

24
25 **PASSED AND ORDAINED** this _____ day of _____, 2016.

26
27 **TOWN OF LADY LAKE, FLORIDA**

28
29
30
31 _____
Ruth Kussard, Mayor

32 ATTEST:

33
34
35
36 _____
Kristen Kollgaard, Town Clerk

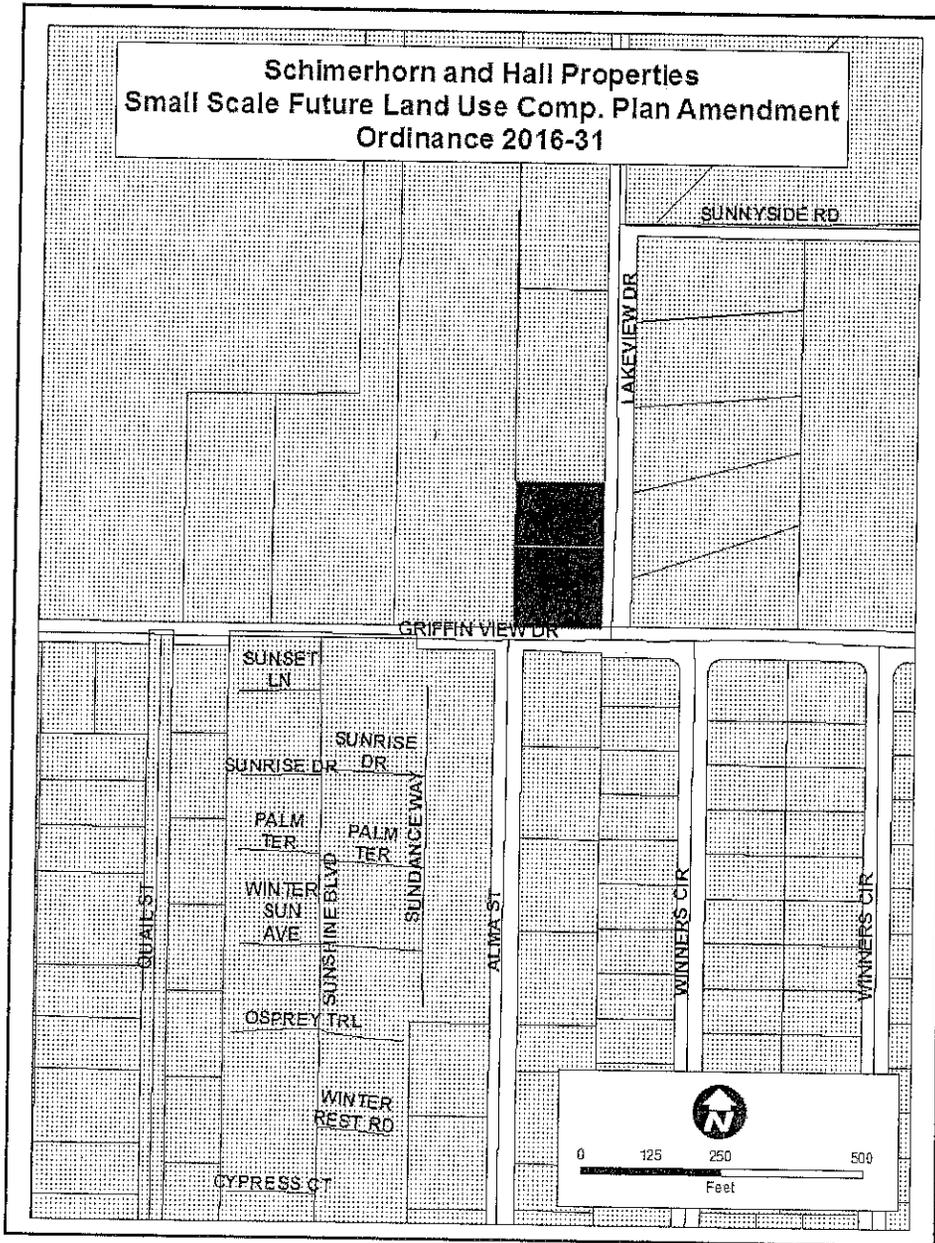
37
38
39 APPROVED AS TO FORM:

40
41
42
43 _____
Derek Schroth, Town Attorney
44
45

EXHIBIT "A" - Legal Descriptions and Map

Parcel 1 - 21-18-24-0001-000-00401; the North 129.50 feet of the South 274 feet of the East 159 feet of the Southwest 1/4 of the Northeast 1/4 of Section 21, Township 18 South, Range 24 East, in Lake County, Florida. ORB 4768 PG 2210; and

Parcel 2 - 21-18-24-0001-000-24200; the South 144.50 feet of the South 274 feet of the East 159 FT of the Southwest 1/4 of the Northeast 1/4 of Section 21, Township 18 South, Range 24 East, in Lake County, Florida, less the South 15 feet thereof for Road Right of Way. ORB 4768 PG 2210.



Douglas Schimerhorn & BJ Hall Ordinance 2016-31 Small Scale Comp. Plan Amendment

Legend

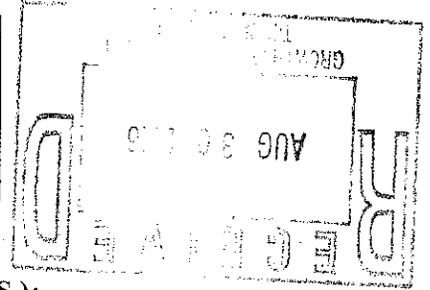
- AK 1770971- Lake County- Urban Low Density
- AK 3868840- Lake County- Urban Low Density
- LLParcels_02182016
- LL_Limits_Feb2016

FLU_ID, FLU_Desc

- RLD, -- Rural Low Density 1 DU/5 Acres
- RMD, -- Rural Medium Density 1 DU/3 Acres
- RHD, -- Rural High Density, 1 DU/Acre
- SF-LD, -- Single Family-Low Density, Up to 3 DUs/Acre
- MR-LD, -- Mixed Residential-Low Density, Up to 5 DUs/Acre
- SF-MD, -- Single Family Medium Density, Up to 6 DUs/Acre
- MR-MD, -- Mixed Residential-Medium Density Up to 8 DU/Acre
- MH-HD, -- Manufactured Home-High Density, Up to 9 DUs/Acre
- MF-LR, -- Multi-Family-Low Rise, Up to 12 DUs/Acre
- MF-HD, -- Multi-Family-High Density, Max 18 DU/Acre
- MDD-TND, -- Mixed Development/Traditional Neighborhood
- CT, -- Commercial-Tourist Services
- RET, -- Commercial General - Retail Sales & Services
- PS, -- Professional Services
- CW, -- Commercial Wholesale
- I, -- Industrial
- RF, -- Religious Facilities
- GF, -- Government Facilities
- OIF, -- Other Institutional Facilities
- P, -- Recreation
- CON, -- Conservation/Open Space
- ROW, -- Right of Way



**APPLICATION FOR SMALL
SCALE DEVELOPMENT
AMENDMENTS TO THE 2030
COMPREHENSIVE PLAN
Town of Lady Lake**



Small scale amendments must meet the following criteria of (Ch. 163.3187, F.S.):

- ◆ A proposed amendment involving a residential land use may not exceed a density of the (10) units per acre.
- ◆ The proposed amendment does not require an amendment to the Urban Service Area boundary.
- ◆ The proposed amendment does not involve the same owner's property within 150 feet of property granted a change within the prior twelve (12) months.
- ◆ The proposed amendment cannot involve a change to the goals, policies, objectives or text of the Comprehensive Plan.
- ◆ Small scale amendment applications will only be accepted until the statutory one-hundred and twenty (120) acre cumulative total is reached.

In addition, staff may determine on a case-by-case basis, which amendments need to be processed as part of the regular amendment cycle.

Applications for small scale amendment accepted Monday through Thursday from 7:30 AM to 6:00 PM. One (1) notarized and eight (8) copies of the application, eight (8) sets of any required exhibits and any attachments, together with an application fee of \$1,300.00 (checks made payable to the TOWN OF LADY LAKE) or \$2,500.00 when combined with a rezoning application, must be filed with the Growth Management Department, 409 Fennell Boulevard, Lady Lake, Florida. All requests for a fee waiver must be formally approved by the Town of Lady Lake Commission.

Type or Print the following information, if applicable:

Owner(s)/Applicant* <i>Douglas Schimmerhorn</i>	Agent/Applicant <i>Douglas Schimmerhorn</i>
<i>38521 Lakeview Dr</i>	<i>38521 Lakeview Dr.</i>
<i>Lady Lake FL</i>	<i>Lady Lake</i>
<i>FL</i>	<i>FL</i>
<i>602 793 4915</i>	<i>602-793-4915</i>

Adopted Future Land Use Designation(s) *Lake County - Urban Low*
 Requested Future Land Use Designation(s) *Lady Lake Mixed Low Density Residential*

*If someone other than the property owner is submitting this application, then the attached Agent Authorization Form must be completed (Page 5).

AGENT AUTHORIZATION FORM

APPLICATION FOR THE SMALL SCALE DEVELOPMENT AMENDMENTS TO THE
TOWN OF LADY LAKE COMPREHENSIVE PLAN (CP)

I, (please print property owner's name) Douglas Schimerhorn, as the
property owner of the property described below, hereby give my permission for (print agent name)
Self to act as my agent for
the purpose of applying for an amendment to the Town of Lady Lake Comprehensive Plan.

Legal description (if applicable): See Property Record Card attached.

Douglas Schimerhorn
Signature of the Property Owner

8-30-2016
Date

Douglas Schimerhorn
Printed Name

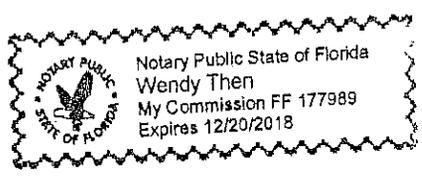
STATE OF Florida
COUNTY OF Lake

THE FOREGOING INSTRUMENT was acknowledged before me this 30th day of
August, 20 16, by Douglas Schimerhorn,
as an individual/officer/agent, on behalf of himself/herself, a
corporation/partnership. He/she is personally know to me or has produced _____
as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 30th day of
August, 20 16.

Wendy Then
Notary Public
Wendy Then
Printed Name
Commission No.: FF 177989
My Commission Expires: 12-20-2018

(SEAL)



AGENT AUTHORIZATION FORM

APPLICATION FOR THE SMALL SCALE DEVELOPMENT AMENDMENTS TO THE TOWN OF LADY LAKE COMPREHENSIVE PLAN (CP)

I, (please print property owner's name) BT Hall, as the property owner of the property described below, hereby give my permission for (print agent name) Douglas Schimerhorn to act as my agent for the purpose of applying for an amendment to the Town of Lady Lake Comprehensive Plan.

Legal description (if applicable):

See property Record Card attached

[Signature]

Signature of the Property Owner

8-30-2016

Date

BT Hall

Printed Name

STATE OF Florida
COUNTY OF Lake

THE FOREGOING INSTRUMENT was acknowledged before me this 30th day of August, 20 16, by BT Hall, as an individual/officer/agent, on behalf of himself/herself, a corporation/partnership. He/she is personally know to me or has produced as identification and did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 30th day of August, 20 16.

[Signature]

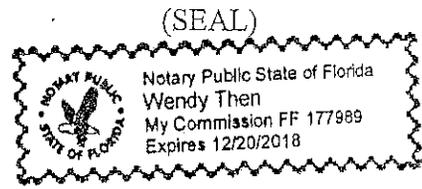
Notary Public

Wendy Then

Printed Name

Commission No.: 12-20-2018

My Commission Expires: FF177989



THE FOLLOWING SECTION MUST BE COMPLETED BY ALL APPLICANTS:

I, the undersigned, have read the application for an amendment to the Town of Lady Lake Comprehensive Plan and hereby attest that the above referenced information, including attached exhibits, is true and correct to the best of my knowledge and, during the pendency of this application, I understand my continuing obligation to notify the Growth Management Director or his designee in writing of the inaccuracy of any statement or representation which was incorrect when made or which becomes incorrect by virtue of changed circumstances.

Douglas Schimerhorn
Signature of the Applicant, Property owner or Agent

8-30-2016
Date

Douglas Schimerhorn
Printed Name

STATE OF Florida
COUNTY OF Lake

THE FOREGOING INSTRUMENT was acknowledged before me this 30th day of August, 2016, by Douglas Schimerhorn, as an individual/officer/agent, on behalf of himself/herself _____, a corporation/partnership. He/she is personally know to me or has produced _____ as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 30th day of August, 2016.

Wendy Then
Notary Public

(SEAL)

Wendy Then
Printed Name

Commission No.: FF 177989
My Commission Expires: 12-20-2016



CONCURRENCY STATEMENT

In evaluating land use impacts, the maximum theoretical impact that could result through passage of the amendment is five (5) dwelling units per acre.

The two (2) lots are presently zoned (R-2) in Lake County, which permits development at 2 dwelling units per acre. The combined acres for both parcels total .95 +/- Acres. The applicant is requesting to change the current Lake County R-2 Zoning to Lady Lake MX-5 (maximum of 5 dwelling units per acre).

Based on the proposed changes:

Present Zoning: **R-2** .95 +/- acres x 2du/acre = 2 dwelling units

Proposed Zoning: **MX-5** .95 +/- acres x 5du/acre = 5 dwelling units

Net Change: **Increase of 3 dwelling units**

At the current time, there is an existing manufactured home place on Parcel 1, addressed as 38521 Lakeview Drive, and identified by alternate key number 1770971. This property is currently serviced by Town of Lady Lake Potable Water. The Town does not service Sewer at this location, so the property owners were required to acquire a Septic Tank permit through Lake County Health Dept.-Environmental Division.

Parcel 2 is currently vacant. Based on the dimensions and lot size, the parcel is buildable and meets the minimum design guidelines of the MX-5 Zoning District to place a single family dwelling unit. Unless central sewer becomes available at this location, the property cannot be split and will be required to be developed as one parcel allowing a maximum of one (1) single family dwelling unit per parcel (per the MX-5 Zoning District, parcels with Septic Systems are required to have a minimum of 12,500 square feet in size).

Traffic Generation:

Land Use	Code	Equation	% In	% Out
Single Family	210	$LN(T)=0.887LN(X) + 0.605$	64	36

Source: Trip Generation, 6th Edition, Pg. 267

TRIP Generation Volumes (Proposed)- PM Peak Hours

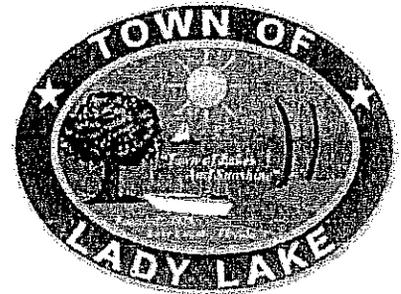
Condition	Vol	In (64%)	Out (36%)
Existing	1	1	1
Proposed	5	3	2
New Trip	4	3	1

The local roadways that will be affected by this project are all County Roads. The proposed land amendment change will generate 4 new PM peak hour trips (1.02 x 5). However, it's only expected that one single family dwelling unit be built at the location. Based on either build-out, there is low impact to the local road system.

Municipal Complex, 409 Fennell Boulevard, Lady Lake, Florida 32159 USA

352-751-1500 FAX 352-751-1510 www.ladylake.org

Public Works Department
Physical location: 136 Skyline Drive, Lady Lake, Florida
352-751-1526 FAX: 352-751-1595



May 11, 2007

Lake County Growth Management Department
Attn: Jennifer Myers
Div. of Planning & Community Design
315 W. Main St.
Tavares, FL. 32778-7800

RE: Water/Sewer Availability

LOCATION: AK #1770971 NW corner of Griffinview Drive and Lakeview Drive.

Attention Jennifer Myers:

The Town of Lady Lake does X or does not ___ currently have water service available to the above referenced property.

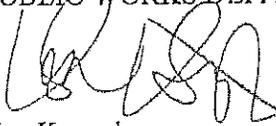
The Town of Lady Lake does ___ or does not X currently have sewer service available to the above referenced property.

The above location is not required to incorporate into the Town in order to connect to the Town's Utilities.

If service is available or once service becomes available, connection to our water or sewer lines would be required per the Land Development Regulations.

If you have any questions, please contact this office at the Public Works Department or call (352) 751-1526.

Very truly yours,
PUBLIC WORKS DEPARTMENT


Ken Keough
Public Works Director

Utility reserves the right to do site inspections and audits of said Water Facilities, Sewer Facilities, and Reuse Facilities at any given time without due notice to the Developer to determine if water, sewer, and reuse ERU allocations are correct. Based on the results of these audits and site inspections, Utility reserves the right to adjust amount of ERU allocations and assess applicable fees accordingly.



UTILITY QUOTE Residential X Commercial Irrigation Reuse

Town of Lady Lake, 409 Fennell Boulevard, Lady Lake, Florida 32159 USA

Utility Customer Service (352) 751-1525 Public Works Administration (352) 751-1526

Project Name: Douglas Schimerhorn Legal Street Address: 38521 Lakeview Drive
 Applicants Name: above Phone Number: 602-793-4915

Notes: AK #1770971 Need to verify Service line can be installed.

*Residential and Commercial Properties are required to meet standard specifications set by the Town. Commercial Properties are required to purchase and install a RPZ or a dual check backflow device depending on field inspection. Commercial Properties are required to complete water & sewer taps and install meters. Commercial Properties are required to purchase and install a Neptune Radio Read Meter with a meter box and curb stops.

TOTAL NUMBER OF ERU's 1

REV. CODE

IS MUNICIPAL WATER AVAILABLE?	<u>X</u> Yes	<u> </u> No		
IS MUNICIPAL SEWER AVAILABLE?	<u> </u> Yes	<u>X</u> No		
IS MUNICIPAL REUSE AVAILABLE?	<u> </u> Yes	<u>X</u> No		
WATER IMPACT FEES	<u>1</u> ERU's	1,499.00 each		
		Commercial	\$ <u> </u>	<u>WI</u>
		Residential	\$ <u>1499.00</u>	<u>WR</u>
WATER TAP IN FEE	<u> </u> TAP w/5/8" meter	505.00 each	\$ <u> </u>	<u>WT</u>
WATER DEPOSIT:				
Commercial Owner	<u> </u> ERU's	100.00 each	\$ <u> </u>	<u>PD</u>
Contractor	<u> </u> ERU's	150.00 each	\$ <u> </u>	<u>PD</u>
Residential Owner	<u>1</u> ERU's	75.00 each	\$ <u>75.00</u>	<u>PD</u>
METER INSTALLATION	<u>1</u> TBD	325.00 each	\$ <u>325.00</u>	<u>WM</u>
WATER TURN ON FEE	<u>1</u> FEE	25.00 each	\$ <u>25.00</u>	<u>WC</u>
WATER INSPECTION FEE	<u>1</u> FEE	50.00 each	\$ <u>50.00</u>	<u>WF</u>
JACK AND BORE:				
Cost Plus Overhead	<u> </u>	350.00 estimate	\$ <u> </u>	<u>JB</u>
SEWER IMPACT FEES	<u>N/A</u> ERU's	3,172.00 each		
		Commercial	\$ <u> </u>	<u>SI</u>
		Residential	\$ <u> </u>	<u>SR</u>
SEWER TAP IN FEE: Cost Plus Overhead	<u> </u>	500.00 minimum	\$ <u> </u>	<u>ST</u>
SEWER DEPOSIT:				
Commercial Owner	<u> </u> ERU's	100.00 each	\$ <u> </u>	<u>PD</u>
Contractor	<u> </u> ERU'S	150.00 each	\$ <u> </u>	<u>PD</u>
Residential Owner	<u> </u> ERU's	75.00 each	\$ <u> </u>	<u>PD</u>
SEWER INSPECTION	<u> </u> FEE	50.00 each	\$ <u> </u>	<u>4G</u>
REUSE IMPACT FEES	<u>N/A</u> ERU's	292.00 each		
		Commercial	\$ <u> </u>	<u>RZ</u>
		Residential	\$ <u> </u>	<u>RB</u>
REUSE DEPOSIT:				
Commercial Owner	<u> </u> ERU's	100.00 each	\$ <u> </u>	<u>PD</u>
Contractor	<u> </u> ERU's	150.00 each	\$ <u> </u>	<u>PD</u>
Residential Owner	<u> </u> ERU's	75.00 each	\$ <u> </u>	<u>PD</u>
METER INSTALLATION	<u> </u> TBD	325.00 each	\$ <u> </u>	<u>WM</u>
REUSE CONNECTION FEE	<u> </u> FEE	25.00 each	\$ <u> </u>	<u>R9</u>
REUSE INSPECTION FEE	<u> </u> FEE	50.00 each	\$ <u> </u>	<u>4R</u>
JACK AND BORE:				
Cost Plus Overhead	<u> </u>	350.00 estimate	\$ <u> </u>	<u>JB</u>
TOTAL BALANCE DUE			\$ <u>1974.00</u>	

Quote expires 180 days
 Quote by: [Signature] Date: 5/24/16
 Verified by: [Signature]

TOWN OF LADY LAKE
Water/Sewer/Reuse Physical Availability

Work Order Date: 5-23-16

Residential-Single Family Commercial Subdivision PUD Other Unknown

Requested by: owner

Owner: Douglas Schimerhorn

Misc. Details: _____

Phone: 602-793-4915 Fax: _____ Email: _____

Location/Description: AK# 1770971 38521 Lakeview Drive LL

Is **WATER** physically available at site: Yes _____ No

Approximate distance from site: 150 ft. _____ Over 200 ft. or 1320 ft.

Is Jack & Bore required: _____ Yes _____ No

Is Water Tap required: _____ Yes _____ No

Is Meter Installation required: _____ Yes _____ No

Misc. Information: Will need to verify water line can be installed along lakeview from (Gr. View)

Is **SEWER** physically available at site: _____ Yes No

Approximate distance from site: _____ ft. _____ Over 200 ft. or 1320 ft.

Is Jack & Bore required: _____ Yes _____ No

Is Sewer Tap required: _____ Yes _____ No

Misc. Information: _____

Is **REUSE** physically available at site: _____ Yes No

Approximate distance from site: _____ ft. _____ Over 200 ft. or 1320 ft.

Is Jack & Bore required: _____ Yes _____ No

Is Water Tap required: _____ Yes _____ No

Is Meter Installation required: _____ Yes _____ No

Misc. Information: _____

Date Completed: 5-25-16 Completed by: [Signature]



Department of Economic Growth

Utility Notification

In an effort to assure governmental cooperation and assistance in the use of approved utility facilities, Lake County shall, per Land Development Regulations, Section 6.12.00, require connection to those facilities upon development, within 1,000 feet of an approved central sewage system and/or within 300 feet of an approved central water system.

The owner of the following property has either a pending public hearing, commercial project under review or is in the process of obtaining a permit. It is understood that a one-day turn around for this information is required so that delays for issuance will be minimized.

Please acknowledge the availability to serve the following property with central utility systems.

The applicant is proposing the following:

Single-Family Dwelling Multi-Family Units _____ Duplex _____ Commercial _____

Administrative Lot Split _____ Commercial Project _____ Rezoning _____

Legal description: Section 21 Township 18 Range 24 Alt Key # 1770971

Subdivision M & B Lot _____ Block _____ Additional Legal attached

Hook up to Central Sewage _____ within 1,000 feet of the above described property.
(is or is not)

Hook up to Central Water _____ within 300 feet of the above described property.
(is or is not)

The City of _____, will provide immediate hook up to this property for:

Central Sewage: Yes _____ No _____ Central Water: Yes _____ No _____

Will the connection to the central sewage system be via a _____ gravity line or a _____ force main/pump?

Wellfield Protection:

To protect the principal source of water in Lake County, per section 6.03.00 of the Land Development Regulations, the area within 1,000 feet radius shall be considered a wellhead protection area.

This property is _____ or is not _____ within 1,000 feet of an existing or future wellhead.

Please attach any conditions that affect the availability of provision of service to this property.

City Official or Private Provider Signature _____

Print Name and Title: _____ Date _____

Please return this completed form to the Lake County Planning & Community Design via facsimile to (352) 343-9767, or email it to zoning@lakecountyfl.gov.

To be completed by County staff:	Staff Name: _____
Date Received: _____	Address #: _____ Project Name: _____

INSTRUMENT#: 2016040500 OR BK 4768 PG 2210 PAGES: 4 4/20/2016 3:12:08 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: \$35.50 DEED DOC:\$280.00

RETURN TO AND
THIS INSTRUMENT PREPARED BY:
TIMIOS, INC - Audrey Rattler
5716 CORSA AVE SUITE 102
WESTLAKE VILLAGE, CA 91362
DAVID KIM

SEND TAX BILLS TO:
DOUGLAS SCHIMERHORN
38521 LAKEVIEW DR
LADY LAKE, FL 32159-3912

AS A NECESSARY INCIDENT TO THE FULFILLMENT OF
CONDITIONS CONTAINED IN A TITLE INSURANCE
COMMITMENT ISSUED BY IT.

PROPERTY APPRAISERS PARCEL IDENTIFICATION:
PARCEL ID: 21-18-24-000100000401

GRANTEE(S):
DOUGLAS SCHIMERHORN AND BJ HALL

FILE NO: 1225860

WARRANTY DEED

This Warranty Deed Made this 30 day of March, 2016,

By BAIRD HOME CORPORATION, whose post office address is: 3495 US-441, FRUITLAND PARK, FL 34731, hereinafter called the grantor

To DOUGLAS SCHIMERHORN, AN UNMARRIED MAN AND BJ HALL, AN UNMARRIED WOMAN, whose post office address is: 38521 LAKEVIEW DR, hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of FORTY THOUSAND Dollars (\$40,000.00), and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in LAKE County, Florida, viz:

THE FOLLOWING DESCRIBED LAND, SITUATE, LYING AND BEING IN LAKE COUNTY, FLORIDA, TO-WIT:

PARCEL 1:

THE NORTH 129.50 FEET OF THE SOUTH 274 FEET OF THE EAST 159 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA.

PARCEL 2:

THE SOUTH 144.50 FEET OF THE SOUTH 274 FEET OF THE EAST 159 FEET OF THE SOUTHWEST 1/5 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, LESS THE SOUTH 15 FEET THEROF FOR ROAD RIGHT OF WAY.

PROPERTY LOCATION:

Section <u>21</u>	Township <u>18</u>	Range <u>24</u>
Subdivision <u>metes & bounds</u>	Block	Lot/Parcel#
Address (if available) <u>38591 Lakeview Drive</u>		
Tax Identification Number and Alternate Key # <u>Parcel #1 1770971 & Parcel #2 3868840</u>		
Existing Zoning <u>Lake County - R-2 - Estate Residential</u>	Anticipated Zoning <u>Lady Lake - mixed low density Residential</u>	

NOTE: IF THE ANTICIPATED OR REQUIRED ZONING IS PLANNED DEVELOPMENT, A PRELIMINARY LAND USE PLAN MAY BE REQUIRED PRIOR TO THE LADY LAKE COMMISSION PUBLIC HEARING.

Existing Use of Subject Property: N/A

Proposed Use of the Subject Property: _____

Total Gross Acreage of Parcel (Including wetlands and water bodies): .95[±] acres total

Developable Acreage to be Amended: .95[±]

If Conservation Areas (wetlands) or natural water bodies exist on-site, give estimated acreage of each: N/A

(Submit any previously completed wetland determination studies).

If multiple designations are requested for the subject property, indicate the acreage of each designation and include a map showing the location of each use: N/A

Is this proposal a Certified Lady Lake Affordable Housing Project? Yes _____ No

(If yes, attach certification).

Has an application for rezoning or other development permit been submitted to the Town?
Yes No _____

(If yes, type and date submitted _____).

Has the project/property been subject to any Town action, including a comprehensive plan amendment, within the last five (5) years? Yes _____ No

(If yes, indicate type and date _____).

REQUIRED SUBMITTALS

(Eight (8) copies of each)

1. The complete legal description of the property and portion thereof that the amendment is being requested for, **typed on a separate sheet of paper.**
2. Certified survey of the subject property or a County Property Appraiser's map illustrating the exact parcel may be accepted in lieu of a survey (County Property Appraiser's maps are available from Lake County Maps Sales, 437 Ardice Ave., Eustis, FL).
3. Vicinity map depicting the subject property and major roadways.
4. For property within flood prone areas, include Flood Insurance Rate Map, Flood Hazard Boundary Map or other information for determining suitability for development (Flood maps are available from the Lady Lake Building Department).
5. Attach justification statement and appropriate data and analysis to support the requested change including, but not limited to, adjacent land use compatibility; availability of sanitary sewer and potable water; why the amendment is consistent with and furthers various objectives and/or policies of the Comprehensive Plan; existing traffic or environmental studies; and any other information which supports this request.
6. Attach a listing of property owners within 150 feet of the subject property. The list may be obtained from the Lake County Property Appraisers Office located at 320 West Main Street, Tavares, Florida, or you may get the information from the Lake County GIS website at www.lakegovernment.com.

ADDITIONAL APPLICATION INFORMATION

1. Applicants are requested to seek a pre-application conference with the Community Development staff to discuss the content and format of the amendment proposal. Acceptance of an application for amendment to the CP should not be construed as staff support of the amendment request. Please contact the Growth Management Department at (352) 751-1582 to schedule an appointment.
2. Small scale amendments require two (2) public hearings for adoption. The Local Planning Agency (LPA) public hearing and the Lady Lake Commission public hearing. A flow chart of the small scale process is attached to this application.
3. Applications for a comprehensive plan amendment which were previously not transmitted or adopted by the Town of Lady Lake Commissioners cannot be reconsidered for a period of two (2) years of that action.
4. Comprehensive Plan Amendment does not guarantee/entitle the applicant/owner to a development permit

5. The current owner of the subject property must sign the application. Agents must submit the attached Agent Authorization Form.
6. Only one contiguous development per application for a Future Land Use Map amendment will be accepted. Contiguous property can be submitted on one application upon authorization of all property owners.
7. Upon review of the submitted application, the Growth Management Department may find an application incomplete and request that the applicant resubmit the application with clarification or additional information, Resubmitted applications or additional information are due within fifteen (15) working days of notice from the Growth Management Department unless special permission is granted by the Growth Management Director, or his/her designee, to accommodate special/lengthy requests.
8. Application fees shall be refunded only if an application is withdrawn upon request of either the property owner or agent prior to the first public notice of hearing.
9. The following shall be exempted from the payment of the amendment fee: Lake County, the Lake County School Board, the State of Florida, the United States of America, municipalities situated wholly within the boundaries of the County and established transportation authorities. Others may request a fee waiver from the Lady Lake Commission through a request to the Growth Management Director.
10. The applicant and those he/she represents in this amendment are hereby put on notice that approval of this application by the Lady Lake Commission, which is then challenged by an affected party, is not "effective" until a final order determining the adopted amendment to be in compliance is issued by the Department of Community Affairs or the Administration Commission. Therefore, the applicant and those he/she represent are hereby put on notice that there shall be no reliance on, and, the Town shall not be responsible for any reliance on an approval of this application until it is "effective", pursuant to law. Amendments which are not challenged are effective thirty-one (31) days after adoption. The Town does not issue any development orders (e.g., rezoning).
11. Applicants are required to place a notice of public hearing poster on property involved in this amendment request prior to the public hearings. The Growth Management Department will prepare the poster for posting. The Growth Management Department provides public hearing notices to property owners within 150 feet of property subject to an amendment.
12. Dependent upon the type of amendment request, the applicant may be required to participate in a neighborhood meeting(s) in order to provide additional information and notice to surrounding residents about the proposed development.

PROPERTY RECORD CARD

General Information

Owner Name:	SCHIMERHORN DOUGLAS &	Alternate Key:	1770971
Mailing Address:	BJ HALL 38521 LAKEVIEW DR LADY LAKE, FL 32159-3912 Update Mailing Address	Parcel Number:	21-18-24-000100000401
		Millage Group and City:	0001 (UNINCORPORATED)
		Total Certified Millage Rate:	15.6488
		Trash/Recycling /Water/Info:	My Public Services Map
Property Location:	38521 LAKEVIEW DR LADY LAKE FL 32159 Update Property Location	Property Name:	-- Submit Property Name
		School Locator:	School and Bus Map
Property Description:	N 129.50 FT OF S 274 FT OF E 159 FT OF SW 1/4 OF NE 1/4 ORB 4768 PG 2210		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT RESIDENTIAL (0000)	130	159		130	FF	\$0.00	\$9,481.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
1098 / 2099	3/1/1991	Quit Claim Deed	Unqualified	Improved	\$0.00
1129 / 1769	9/1/1991	Warranty Deed	Unqualified	Improved	\$0.00
1137 / 1660	11/1/1991	Warranty Deed	Unqualified	Improved	\$0.00
1383 / 948	7/1/1995	Warranty Deed	Unqualified	Improved	\$0.00
2860 / 1250	6/14/2005	Trustees Deed	Unqualified	Improved	\$0.00
2899 / 1509	7/27/2005	Quit Claim Deed	Unqualified	Improved	\$0.00
3128 / 2418	4/6/2006	Quit Claim Deed	Unqualified	Improved	\$0.00
3376 / 1039	2/14/2007	Warranty Deed	Qualified	Vacant	\$70,000.00
3925 / 2277	4/23/2010	Warranty Deed	Unqualified	Vacant	\$100.00
4156 / 102	4/23/2012	Warranty Deed	Multi-Parcel	Vacant	\$22,500.00
4768 / 2210	3/30/2016	Warranty Deed	Multi-Parcel	Vacant	\$40,000.00

[Click here to search for mortgages, liens, and other legal documents.](#)

PROPERTY RECORD CARD

General Information

Owner Name:	SCHIMERHORN DOUGLAS &	Alternate Key:	3868840
Mailing Address:	BJ HALL 38521 LAKEVIEW DR LADY LAKE, FL 32159 Update Mailing Address	Parcel Number:	21-18-24-000100024200
		Millage Group and City:	0001 (UNINCORPORATED)
		Total Certified Millage Rate:	15.6488
		Trash/Recycling /Water/Info:	My Public Services Map
Property Location:	LADY LAKE FL 32159 Update Property Location	Property Name:	-- Submit Property Name
		School Locator:	School and Bus Map
Property Description:	S 144.50 FT OF E 159 FT OF SW 1/4 OF NE 1/4--LESS S 15 FT FOR RD R/W-- ORB 4768 PG 2210		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT RESIDENTIAL (0000)	130	159		130	FF	\$0.00	\$9,481.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

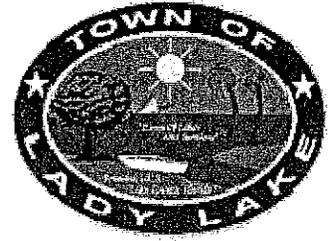
Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
3925 / 2275	4/23/2010	Warranty Deed	Unqualified	Vacant	\$100.00
4156 / 102	4/23/2012	Warranty Deed	Multi-Parcel	Vacant	\$22,500.00
4768 / 2210	3/30/2016	Warranty Deed	Multi-Parcel	Vacant	\$40,000.00

[Click here to search for mortgages, liens, and other legal documents.](#)

Values and Estimated Ad Valorem Taxes

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$9,481	\$9,481	\$9,481	5.11800	\$48.52
LAKE COUNTY MSTU AMBULANCE	\$9,481	\$9,481	\$9,481	0.46290	\$4.39
LAKE COUNTY MSTU FIRE	\$9,481	\$9,481	\$9,481	0.47040	\$4.46
SCHOOL BOARD STATE	\$9,481	\$9,481	\$9,481	4.62700	\$43.87
SCHOOL BOARD LOCAL	\$9,481	\$9,481	\$9,481	2.24800	\$21.31

Municipal Complex, 409 Fennell Boulevard, Lady Lake, Florida 32159
(352) 751-1500 FAX (352) 751-1510 www.ladylake.org



September 26, 2016

RE: Annexation Ordinance 2016-30, Small Scale Comprehensive Plan Amendment 2016-31, and Rezoning Ordinance 2016-32

Dear Property Owner:

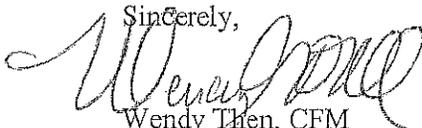
This is to notify you that applications have been filed with the Town of Lady Lake, by Douglas Schimerhorn and BJ Hall, to annex, rezone, and amend the future land use designation of two (2) parcels approximately +/- .95 acres, located at the corner of Lakeview Drive and Griffinview Drive, approximately 3000 Lineal Feet east of the Intersection of South Highway 27/441 and Griffinview Road, within Lake County, Florida. The applicant is seeking to rezone the property from Lake County - Estate Residential (R-2) to Town of Lady Lake Mixed Low Density Residential (MX-5). The proposed small-scale comprehensive plan amendment is to change the future land use designation from Lake County Urban Low Density to Lady Lake Mixed Residential Low Density (MR-LD). At the current time, there is an existing manufactured home place on Parcel 1, addressed as 38521 Lakeview Drive, and identified by alternate key number 1770971. Parcel 2 (the corner lot) is currently vacant. Based on the dimensions and lot size, Parcel 2 is buildable and meets the minimum design guidelines of the MX-5 Zoning District for the property owner to place a single family dwelling unit.

Public hearing dates on the petitions are scheduled for the following dates:

PLANNING AND ZONING BOARD - Monday, October 10, 2016 at 5:30 p.m.
LOCAL PLANNING AGENCY - Monday, November 7, 2016 at 5:30 p.m.
TOWN COMMISSION MEETING - Monday, November 7, 2016 at 6:00 p.m.
TOWN COMMISSION MEETING- Monday, November 21, 2016 at 6:00 p.m.

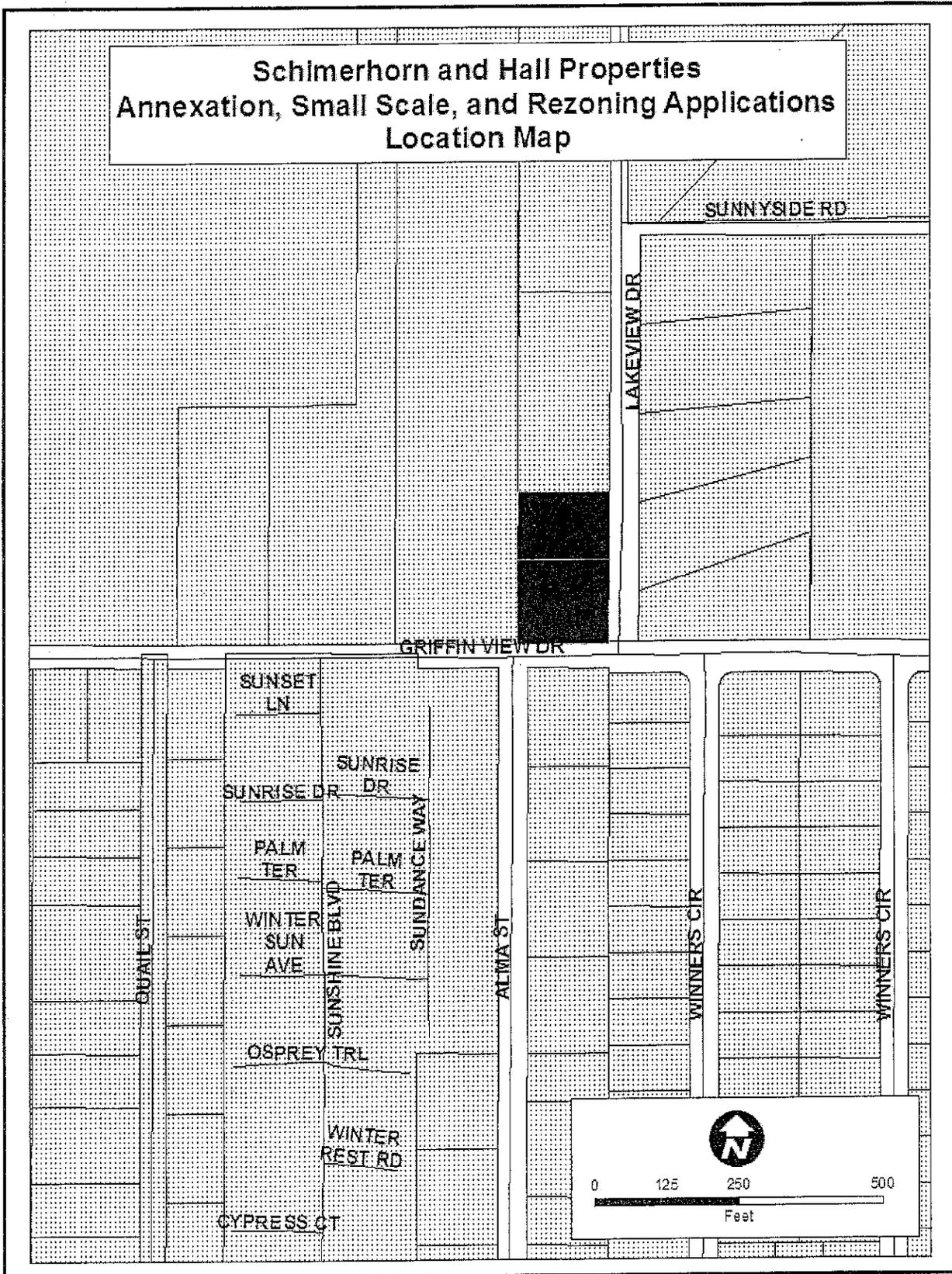
You are invited to attend these public hearings to be held in the Town Hall Commission Chambers, 409 Fennell Boulevard, Lady Lake, Florida. The petitions may be inspected at Town Hall during regular business hours (7:30 a.m. to 6 p.m., Monday - Thursday) in the Growth Management Department. Any person wishing to appeal a decision of this public body should ensure themselves that a verbatim record of the proceedings is made. If you have any questions regarding this matter, please call me at (352) 751-1582 or via email at wthen@ladylake.org.

Sincerely,


Wendy Then, CFM
Town Planner

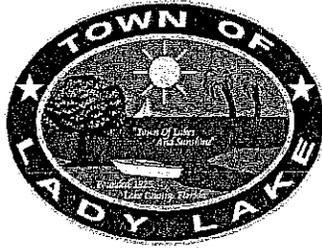
LOCATION MAP

Schimerhorn and Hall Properties
Annexation, Small Scale, and Rezoning Applications
Location Map



AltKey	OwnerName	OwnerAddre	OwnerCity	OwnerState	OwnerZip
1746655	LAVALLE BETH ET AL	38548 LAKEVIEW DR	LADY LAKE	FL	32159
3868840	BAIRD HOME CORP	3495 US HWY 441	FRUITLAND PARK	FL	34731
3827698	BECKHAM CLARENCE D & CLEMENCE	38532 LAKEVIEW DR	LADY LAKE	FL	32159
3826370	WALZER DONALD A & NORENE N	38520 LAKEVIEW DR	LADY LAKE	FL	32159
3826369	TERRY SCOTT A & ADRIENNE K	2743 GRIFFINVIEW DR	LADY LAKE	FL	32159
1770971	BAIRD HOME CORP	3495 US HWY 441	FRUITLAND PARK	FL	34731
1698791	HARDMAN WALTER L JR & VIVIAN TRUS	9081 SILVER LAKE DR	LEESBURG	FL	34788
3874487	WISE BARBARA	38629 LAKEVIEW DR	LADY LAKE	FL	32159
1584850	REPOSA, DOROTHY J	405 ALMA ST	LADY LAKE	FL	32159
2524359	DELAND, DEREK L & MAILE	402 WINNERS CIR	LADY LAKE	FL	32159
2538031	404 WINNER CIRCLE LLC	4223 BAIR AVE	FRUITLAND PARK	FL	34731
1698782	TAMBURRO PROPERTIES III, LLC	401 SUNSHINE BLVD	LADY LAKE	FL	32159

Schimerhorn & Hall- Annexation, Small Scale, and Rezoning Applications- Ord. 2016-30, 2016-31, and 2016-32



TECHNICAL REVIEW COMMITTEE COMMENTS
REVIEW September 26, 2016

Project: Douglas Schimerhorn and BJ Hall Annexation
Proposal: Annexation- Ord. 2016-30
Small Scale FLU Comprehensive Plan Amendment- Ord. 2016-31
Rezoning – Ord. 2016-32

Description: On Tuesday, August 30, 2016, applications have been filed with the Town of Lady Lake, by Douglas Schimerhorn and BJ Hall to annex, rezone, and amend the future land use designation of two (2) parcels approximately +/- .95 acres, located at the corner of Lakeview Drive and Griffinview Drive, approximately 3000 Lineal Feet east of the Intersection of South Highway 27/441 and Griffinview Road, within Lake County, Florida. The applicant is seeking to rezone the property from Lake County - Estate Residential (R-2) to Town of Lady Lake Mixed Low Density Residential (MX-5). The proposed small-scale comprehensive plan amendment is to change the future land use designation from Lake County Urban Low Density to Lady Lake Mixed Residential Low Density (MR-LD).

At the current time, there is an existing manufactured home place on Parcel 1, addressed as 38521 Lakeview Drive, and identified by alternate key number 1770971. This property is currently serviced by Town of Lady Lake Potable Water. The Town does not service Sewer at this location, so the property owners were required to acquire a Septic Tank permit through Lake County Health Dept.- Environmental Division.

Parcel 2 is currently vacant. Based on the dimensions and lot size, the parcel is buildable and meets the minimum design guidelines of the MX-5 Zoning District to place a single family dwelling unit. Unless central sewer becomes available at this location, the property cannot be split and will be required to be developed as one parcel allowing a maximum of one (1) single family dwelling unit per parcel (per the MX-5 Zoning District, parcels with Septic Systems are required to have a minimum of 12,500 square feet in size).

Below are staff comments from the Town of Lady Lake regarding your development project. A hard copy via hand delivery and an electronic copy via e-mail are provided to the applicant. Comments are organized by department and must be sufficiently addressed before the proposal may proceed. If a re-submittal is warranted, the applicant shall provide written responses to each individual staff comment contained within this transmittal. **Re-submittals will not be accepted without bulleted written responses.**

Following submittal of any required revisions and responses, correspondence will be forwarded indicating the proposal's status, either (1) requiring additional revision or documentations; or (2) ready for approval. Site plans are subject to public hearing, as well as plats, annexation requests, zoning requests, and comprehensive plan requests. When applicable, you will receive written notification that the item is

scheduled for review by the Planning and Zoning Board or Town Commission. For additional information, contact Thad Carroll at (352) 751-1521.

GROWTH MANAGEMENT

Questions may be directed to Wendy Then, at wthen@ladylake.org

1. Application is deemed complete. No further comments at this time.
-

POLICE

Questions may be directed to Chief Chris McKinstry at cmckinstry@ladylake.org

1. No Comments (Email dated 09-12-2016).
-

FIRE

Questions may be directed to Kerry Barnett at kbarnett@firesafetycons.com:

1. No construction is proposed; therefore, no comments were obtained from the Fire Inspector regarding this proposed annexation.
-

BUILDING

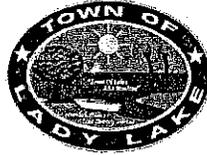
Questions may be directed to Dallas Foss, Building Official at dfoss@usanova.com:

1. No construction is proposed; therefore, there are no comments as this time.
-

PUBLIC WORKS

Questions may be directed to Butch Goodman, Utilities Supervisor at bgoodman@ladylakepw.org

1. Property is currently serviced by Town of Lady Lake Potable Water. The Town does not service Sewer at this location, so the property owners were required to acquire a Septic Tank permit through Lake County Health Dept.-Environmental Division.
-



PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: October 10, 2016

SUBJECT: Ordinance 2016-31 – Douglas Schimerhorn & BJ Hall – Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Urban Low Density to Lady Lake Mixed Residential Low Density for 2 lots consisting of approximately .95 +/- acres of land which are located at the corner of Lakeview Drive and Griffinview Drive, within Lake County, Florida (Alternate Keys 1770971 and 3868840).

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDED MOTIONS:

1. Motion to forward Ordinance 2016-31, a Small Scale Comprehensive Plan Amendment – Requesting to Change approximately 0.95 +/- acres of land from Lake County Urban Low Density to Lady Lake Mixed Residential Low Density (MR-LD) to the Town Commission with the recommendation of approval, with the recommendation of approval.
2. Motion to forward Ordinance 2016-31- a Small Scale Comprehensive Plan Amendment – Requesting to Change approximately 0.95 +/- acres of land from Lake County Urban Low Density to Lady Lake Mixed Residential Low Density (MR-LD) to the Town Commission with the recommendation of approval, with the recommendation of denial.

Staff is in support of Motion Number 1

Property owners, Douglas Schimerhorn and BJ Hall, have filed applications to amend the Future Land Use designation of properties consisting of 2 Lots located at the corner of Lakeview Drive and Griffinview Drive, approximately 3000 Lineal Feet east of the Intersection of South Highway 27/441 and Griffinview Drive, within Lake County, Florida. The small scale application involves 0.95 +/- acres of property proposing a change from unincorporated Lake County into the Town of Lady Lake.

There is an existing manufactured home currently placed on Parcel 1, addressed as 38521 Lakeview Drive, and identified by alternate key number 1770971. This property is currently serviced by Town of Lady Lake Potable Water. As a condition for the Town to service water at this property, Mr. Schimerhorn and Ms. Hall signed a covenant to annex on June 9, 2016. Now the property owners are fulfilling their requirement by submitting the annexation, small scale, and rezoning applications. Parcel 2 is currently vacant, and

the applicant hasn't provided any specific plans or time frame if when this parcel will be developed.

The subject properties lie in Section 21, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application.

The small scale application was received on Monday, August 30, 2016, and has been reviewed and determined to be complete satisfying the necessary criteria as required under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (11) within 150 feet of the properties proposed by annexation request were mailed Monday, September 26, 2016. The properties were posted Monday, September 1, 2016.

Concurrency Determination Statement

The applicants are annexing into the Town in accordance with the terms set forth in the Covenant to Annex Agreement executed between property owners and the Town on June 9, 2016.

Impact on Town Services

Potable Water-

- This property is currently serviced by Town of Lady Lake Potable Water and consumes one (1) Water Equivalent Residential Unit (ERU) or a maximum of 250 gallons per day. At the time the vacant parcel is proposed to be developed, an additional ERU would be required for a total of two (2) ERUs or 500 gallons per day combined for both parcels.

Sewer -

- The Town does not service Sewer at this location, so the property owners were required to acquire a Septic Tank permit through Lake County Health Dept.- Environmental Division when they applied to set up the existing manufactured home.

Schools -

- Using the updated Lake County student generation rates based on the recently-updated impact fee study, minimum impact expected with a maximum of three school children (one student for each school):

	SF-DU	MF-DU	Mobile	Mobile Home School Impact (based on 2 MH)
Total	0.328	0.283	0.206	3
Elementary	0.152	0.143	0.097	1
Middle School	0.074	0.063	0.047	1
High School	0.102	0.077	0.062	1

Public Hearings

The **Local Planning Agency** is scheduled to consider Ordinance 2016-31 on Monday, November 7, 2016, at 5:30 p.m.

The **Town Commission** is scheduled to consider Ordinance 2016-31 for first reading on Monday, November 7, 2016 at 6:00 p.m. The second and final reading will be held on Monday, November 21, 2016 at 6:00 p.m.

FISCAL IMPACT: \$ _____

Capital Budget Operating Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other

Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD		Submitted <i>10/3/16</i>	Date
FINANCE DEPARTMENT		Approved as to Budget Requirements	Date
TOWN ATTORNEY		Approved as to Form and Legality	Date
TOWN MANAGER		Approved Agenda Item for: <i>10-4-16</i>	Date

BOARD ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain

Approved with Modifications

CC: THAD-G.M.

Transportation –

- The local roadways that will be affected by these parcels are all Lake County Roads. Traffic impact is existing for Parcel 1. The proposed land amendment change is expected to generate a maximum of 4 additional PM peak hour trips should Parcel 2 be developed with the expectation that only one single family dwelling unit would be built at the location. Based on either build-out of one (1) single family dwelling unit or two (2) dwelling units at the maximum, there would be low impact to the local road system.

Parks & Recreation –

- The annexation, small scale future land use amendment, and the rezoning applications will cause minimum impact to the Town's Park and Recreation facility in that the highest use would be one (1) single family dwelling unit per each parcel.

Stormwater –

- Project will be required to adhere to SJRWMD guidelines. As per FEMA FIRM MAP 12069C0170E effective 12/18/2012, both parcels are Flood Zone X- Outside the 500-yr Floodplain.

Future Land Use

Subject Properties	Lake County Urban Low Density
Future Land Use of Adjacent Properties	
West	Lady Lake- Mixed Residential- Medium Density (MR-MD)
East	Lake County – Urban Low Density
North	Lake County – Urban Low Density
South	ROW/Lady Lake- Single Family Medium Density (SF-MD)

Comments:

- 1.) Annexation and Rezoning Applications have been submitted concurrently with this Small Scale Future Land Use Amendment Application.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2016-31, provided comments by September 26, 2016, and determined the application to be complete and ready for transmittal to the P&Z Board.

1 ~~land development, and rezoning of Mr. Schimerhorn's property, not the well. She suggested that~~
2 ~~issue could be discussed after tonight's meeting.~~

3
4 ~~Chairperson/Member Gauder clarified that Mr. Schimerhorn is here because he applied for~~
5 ~~annexation and his property abuts Town property.~~

6
7 ~~Ms. Then stated he is correct. She stated if an applicant does not annex into the Town, they will be~~
8 ~~assessed 25% of the monthly bill above and beyond what the regular fee is for water services. She~~
9 ~~speculated that Mr. Schimerhorn has opted to annex into the Town because it is more cost effective.~~

10
11 ~~Chairperson/Member Gauder stated Mr. Schimerhorn is here because he applied for annexation and~~
12 ~~the Board's obligation is to vote on that issue. The water issue is outside of this Board's~~
13 ~~responsibilities.~~

14
15 ~~— Donald Melzer asked where is Lady Lake property in reference to Mr. Schimerhorn's property.~~

16
17 ~~Ms. Then showed an aerial view of Mr. Schimerhorn's property, and stated it abuts Town property~~
18 ~~on the west side.~~

19
20 ~~Vice-Chairperson Sigurdson asked if there were any further questions or comments. Hearing none,~~
21 ~~he asked for a motion.~~

22
23 ~~*Upon a motion by Member Chiasson and a second by Member Gauder, the Planning and Zoning*~~
24 ~~*Board recommended transmittal and approval of Ordinance No. 2016-30 to the Town*~~
25 ~~*Commission for consideration by the following roll call vote:*~~

26
27 ~~_____ CHIASSON YES~~
28 ~~_____ CONLIN YES~~
29 ~~_____ SIGURDSON YES~~
30 ~~_____ GAUDER YES~~

31
32 **3. Ordinance No. 2016-31 – Douglas Schimerhorn & BJ Hall – Small Scale Future Land Use**
33 **Comprehensive Plan Amendment from Lake County Urban Low Density to Lady Lake Mixed**
34 **Residential Low Density for Two Lots consisting of Approximately 0.95 +/- Acres of land**
35 **which are located at the corner of Lakeview Drive and Griffinview Drive, within Lake**
36 **County, Florida (Alternate Keys 1770971 and 3868840). (Wendy Then)**

37
38 Town Planner Wendy Then presented the background summary for this agenda item (on file in the
39 Clerk's Office). She stated that the applicants, property owners Douglas Schimerhorn and BJ Hall,
40 have filed applications to amend the Future Land Use designation of properties consisting of two
41 lots located at the corner of Lakeview Drive and Griffinview Drive, approximately 3000 lineal feet
42 east of the intersection of South Highway 27/441 and Griffinview Drive, within Lake County,
43 Florida. The small scale application involves 0.95 +/- acres of property proposing a change from
44 unincorporated Lake County into the Town of Lady Lake.

45
46 There is an existing manufactured home currently placed on Parcel #1, addressed as 38521
47 Lakeview Drive, and identified by alternate key number 1770971. This property is currently
48 serviced by Town of Lady Lake Potable Water. This property is located within Lake County
49 jurisdiction and the present land use is Lake County Urban Low Density. The requested future land
50 use is Lady Lake Mixed Residential Low Density.

1
2 A map of the location of the properties and a Future Land Use map was shown.

3
4 The subject properties lie in Section 21, Township 18 South, Range 24 East, in Lake County,
5 Florida. The current zoning classification is Lake County Urban Low Density. To the west of the
6 subject property is Lady Lake Mixed Residential Medium Density (MRMD), to the east is Lake
7 County Urban Low Density, to the north is Lake County Urban Low Density, and to the south is
8 Lady Lake Single Family Medium Density, as well as the Griffinview right-of-way. The
9 appropriate legal descriptions, a location map, and a sketch of the property have been included with
10 the submitted application.

11
12 As a condition for the Town to service water at this property, Mr. Schumerhorn and Ms. Hall signed
13 a Covenant to Annex on June 9, 2016. The property owners are now fulfilling their requirement by
14 submitting the annexation, small scale, and rezoning applications. Parcel #2 is currently vacant, and
15 the applicant has not provided any specific plans or time frame if when this parcel will be
16 developed.

17
18 Concurrency Determination Statement - The applicants are annexing into the Town in accordance
19 with the terms set forth in the Covenant to Annex Agreement executed between property owners
20 and the Town on June 9, 2016.

21
22 Ms. Then reviewed the impact on Town services as follows:

- 23
24 • Potable Water - This property is currently serviced by Town of Lady Lake potable water and
25 consumes one water Equivalent Residential Unit (ERU) or a maximum of 250 gallons per day.
26 At the time the vacant parcel is proposed to be developed, an additional ERU will be required
27 for a total of two ERUs, or 500 gallons per day combined for both parcels.
28
29 • Sewer - The Town does not service sewer at this location; therefore, the property owners were
30 required to acquire a septic tank permit through Lake County Health Department-Environmental
31 Division when they applied to set up the existing manufactured home.
32
33 • Schools – Using the updated Lake County student generation rates based on the recently-
34 updated impact fee study, minimum impact expected with a maximum of three school children
35 (one student for each school):
36

	SF-DU	MF-DU	Mobile	Mobile Home School Impact (based on 2 MH)
Total	0.328	0.283	0.206	3
Elementary	0.152	0.143	0.097	1
Middle School	0.074	0.063	0.047	1
High School	0.102	0.077	0.062	1

- 37
38 • Transportation – The local roadways that will be affected by these parcels are all Lake County
39 Roads. Traffic impact is existing for Parcel #1 as this is an existing mobile home on this
40 property. The proposed land amendment change is expected to generate a maximum of four
41 additional PM peak hour trips should Parcel #2 be developed with the expectation that only one
42 single family dwelling unit would be built at the location. Based on either build-out of one

1 single family dwelling unit or two dwelling units at the maximum, there would be low impact to
 2 the local road system.

- 3
- 4 • Parks & Recreation – The annexation, small scale future land use amendment, and the rezoning
 5 applications will cause minimum impact to the Town’s Park and Recreation facility in that the
 6 highest use would be one single family dwelling unit per each parcel.
- 7
- 8 • Stormwater – The project will be required to adhere to SJRWMD guidelines. As per FEMA
 9 FIRM MAP 12069C0170E effective 12/18/2012, both parcels are Flood Zone X, outside the
 10 500-yr flood plain.
- 11

12 The small scale application was received on Monday, August 30, 2016, and has been reviewed and
 13 determined to be complete, satisfying the necessary criteria as required under statutory
 14 requirements. The application was found to meet the requirements of the Land Development
 15 Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the
 16 Town Commission.

17

18 Notices to inform the surrounding property owners (11) within 150 feet of the properties proposed
 19 by annexation request were mailed Monday, September 26, 2016. The properties were posted
 20 Monday, September 1, 2016.

21 **Future Land Use**

Subject Properties	Lake County Urban Low Density
Future Land Use of Adjacent Properties	
West	Lady Lake- Mixed Residential- Medium Density (MR-MD)
East	Lake County – Urban Low Density
North	Lake County – Urban Low Density
South	ROW/Lady Lake- Single Family Medium Density (SF-MD)

22

23 It was noted that Annexation and Rezoning Applications have been submitted concurrently with this
 24 Small Scale Future Land Use Amendment Application.

25

26 The Technical Review Committee members individually reviewed the application for Ordinance
 27 No. 2016-31, provided comments by September 26, 2016, and determined the application to be
 28 complete and ready for transmittal to the Planning and Zoning Board. The Local Planning Agency
 29 is scheduled to consider Ordinance No. 2016-31 on Monday, November 7, 2016, at 5:30 p.m. The
 30 Town Commission is scheduled to consider Ordinance No. 2016-31 for first reading on Monday,
 31 November 7, 2016 at 6:00 p.m. The second and final reading will be held on Monday, November
 32 21, 2016 at 6:00 p.m.

33

34 Ms. Then asked if there were any questions for staff.

35

36 Vice Chairperson/Member Sigurdson asked if there were any comments from the Board members,
 37 and hearing none, asked if there were any questions from the audience.

38

39 - Anthony LaValle, referring his earlier statement regarding people being pressured, stated if he
 40 understood Ms. Then correctly, Mr. Schimerhorn would have been assessed a surcharge for
 41 having a well on his property.

1 Thad Carroll clarified the 25% surcharge is for customers who are connected to our utility and are
2 not annexed in the Town. Therefore, there is an incentive to annex into the Town.

3
4 - Anthony LaValle stated he feels the pressure and the incentive for Mr. Schimerhorn to annex is
5 to get a break on his situation, yet his property tax increases as a result. Regarding the mixed
6 use zoning designation, Mr. LaValle stated he has talked to developers in the past and their goal
7 was to erect an apartment complex. He asked how many units are permitted in a single unit
8 dwelling, as his concern is for the future land use. He believes it is the concern of other
9 neighbors as well; they do not want an apartment complex on the property as there is one across
10 the street.

11
12 Mr. Carroll stated under the MX-5 zoning designation, a two-family duplex dwelling unit, a
13 licensed community home with six residents, or a bed and breakfast would require a special
14 exception permit that would have to be presented to the Commission at a public meeting.

15
16 - Anthony LaValle clarified the MX-5 zoning designation is for two single dwellings on the
17 property.

18
19 Mr. Carroll confirmed that manufactured homes and single-family homes are allowed on the
20 property under the MX-5 zoning, unless a special exception use application is submitted and
21 presented to the Commission.

22
23 - Mr. LaValle thanked Mr. Carroll for the clarification.

24
25 - Noreen Walzer of 25820 Lakeview Drive, Lady Lake, asked for clarification regarding the
26 number of homes permitted on each parcel.

27
28 Ms. Then stated parcel #1 has an existing structure. She stated the only way parcel #2 could be split
29 into two lots is to connect to sewer lines, and currently sewer is not available at this location. Also,
30 it will be very costly to connect sewer lines for two units.

31
32 - Barbara Wise stated it is her understanding since both lots will be in the city, Mr. Schimerhorn
33 is permitted to have another manufactured house on the property.

34
35 Mr. Carroll stated there is no proposal for a structure on parcel #2.

36
37 - Ms. Wise commented that it will be much easier to get a structure once it is annexed into to the
38 city.

39
40 Mr. Carroll stated that is not accurate. Mr. Schimerhorn secured the building permit for his mobile
41 home with the Lake County Building Department. Another structure would have to be on a
42 different parcel. He stated the property could be sold in the future and the new owners could
43 construct a home on the property.

44
45 - Ms. Wise clarified that a mobile home could be put on the property.

46
47 Mr. Carroll confirmed this; stating mobile homes are permitted through the county as well.

48
49 - Ms. Wise argued that they cannot do that in the county now; that is if you are going to build a
50 site-built house.

1
2 Mr. Carroll reiterated that it is an approved structure through the county as Mr. Schimerhorn
3 received his building permit through Lake County.

4
5 - Ms. Wise asked if it is one structure per acre or one structure per parcel.

6
7 Mr. Carroll stated it would be for parcel #2.

8
9 Ms. Then stated parcel #1 has currently been developed, and per Lake County zoning regulations,
10 Mr. Schimerhorn is permitted to place another manufactured home on the second parcel.

11
12 Vice Chairperson/Member Sigurdson asked if there were any questions from the Board, and hearing
13 none, asked for a motion.

14
15 *Upon a motion by Member Gauder and a second by Member Chiasson, the Planning and Zoning*
16 *Board recommended transmittal and approval of Ordinance No. 2016-31 to the Town*
17 *Commission for consideration by the following roll call vote:*

18
19 *CHIASSON YES*
20 *CONLIN YES*
21 *SIGURDSON YES*
22 *GAUDER YES*
23

24 **4. Ordinance No. 2016 32 - Douglas Schimerhorn & BJ Hall - Rezoning from Lake County**
25 **Estate Residential (R-2) to Lady Lake Mixed Low Density Residential (MX-5) for Two Lots**
26 **Consisting Of Approximately 0.95 +/- Acres Of Land Which Are Located At The Corner Of**
27 **Lakeview Drive and Griffinview Drive, Within Lake County, Florida (Alternate Keys 1770971**
28 **and 3868840). (Wendy Then)**
29

30 ~~Property owners Douglas Schimerhorn and BJ Hall have filed applications to rezone properties~~
31 ~~consisting of two lots located at the corner of Lakeview Drive and Griffinview Drive,~~
32 ~~approximately 3000 lineal feet east of the intersection of South Highway 27/441 and Griffinview~~
33 ~~Drive, within Lake County, Florida. The rezoning application involves 0.95 +/- acres of property~~
34 ~~proposing a change from unincorporated Lake County into the Town of Lady Lake.~~
35

36 ~~There is currently an existing manufactured home placed on Parcel #1, addressed as 38521~~
37 ~~Lakeview Drive, and identified by alternate key number 1770971. This property is currently~~
38 ~~serviced by Town of Lady Lake potable water. As a condition for the Town to service water at this~~
39 ~~property, Mr. Schimerhorn and Ms. Hall signed a Covenant to Annex on June 9, 2016. Now the~~
40 ~~property owners are fulfilling their requirement by submitting the annexation, small scale, and~~
41 ~~rezoning applications. Parcel #2 is currently vacant and the applicant has not provided any specific~~
42 ~~plans or time frame if or when this parcel will be developed.~~
43

44 ~~Based on the dimensions and lot size, Parcel #2 is buildable and meets the minimum design~~
45 ~~guidelines of the MX-5 Zoning District to place a single family dwelling unit. Unless central sewer~~
46 ~~becomes available at this location, the property cannot be split and will be required to be developed~~
47 ~~as one parcel allowing a maximum of one single family dwelling unit per parcel (per the MX-5~~
48 ~~Zoning District, parcels with septic systems are required to have a minimum of 12,500 square feet~~
49 ~~in size).~~
50



K-13

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: November 7, 2016- First Reading

SUBJECT: Ordinance 2016-32 - Douglas Schimerhorn & BJ Hall - Rezoning from Lake County Estate Residential (R-2) to Lady Lake Mixed Low Density Residential (MX-5) for 2 lots consisting of approximately 0.95 +/- acres of land which are located at the corner of Lakeview Drive and Griffinview Drive, within Lake County, Florida (Alternate Keys 1770971 and 3868840).

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDED MOTION:

Staff Recommends approval of Ordinance No. 2016-32, rezoning 0.95 ± Acres of Property consisting of 2 lots – Located at the corner of Lakeview Drive and Griffinview Drive, within Lake County, Florida – Requesting to Change from Lake County Estate Residential (R-2) to Lady Lake Mixed Low Density Residential (MX-5).

Property owners, Douglas Schimerhorn and BJ Hall, have filed applications to rezone properties consisting of 2 Lots located at the corner of Lakeview Drive and Griffinview Drive, approximately 3000 Lineal Feet east of the Intersection of South Highway 27/441 and Griffinview Drive, within Lake County, Florida. The rezoning application involves 0.95 +/- acres of property proposing a change from unincorporated Lake County into the Town of Lady Lake.

Currently, there is an existing manufactured home placed on Parcel 1, addressed as 38521 Lakeview Drive, and identified by alternate key number 1770971. This property is currently serviced by Town of Lady Lake Potable Water. As a condition for the Town to service water at this property under in-town limits customer rates, Mr. Schimerhorn and Ms. Hall signed a covenant to annex on June 9, 2016. Now the property owners are fulfilling their requirement by submitting the annexation, small scale, and rezoning applications. Parcel 2 is currently vacant, and the applicant hasn't provided any specific plans or time frame if when this parcel will be developed.

Based on the dimensions and lot size, Parcel 2 is buildable and meets the minimum design guidelines of the MX-5 Zoning District to place a single family dwelling unit. Unless central sewer becomes available at this location, the property cannot be split and will be required to be developed as one parcel allowing a maximum of one (1) single family dwelling unit per parcel (per the MX-5 Zoning District, parcels with Septic Systems are required to have a minimum of 12,500 square feet in size).

The subject properties lie in Section 21, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application.

Zoning

Subject Property	Lake County Estate Residential (R-2)
Zoning of Adjacent Properties	
West	Lady Lake- Mixed Residential Medium Density (MX-8)
East	Lake County Rural Residential (R-1)
North	Lake County Rural Residential (R-1)
South	ROW/Lady Lake- Mixed Residential Medium Density (MX-8)

The rezoning application was received on Monday, August 30, 2016, and has been reviewed and determined to be complete satisfying the necessary criteria as required under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (11) within 150 feet of the properties proposed by annexation request were mailed Monday, September 26, 2016. The properties were posted Monday, September 1, 2016.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed the application for Ordinance 2016-32, provided comments by September 26, 2016, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the October 10, 2016 meeting, the **Planning and Zoning Board** voted 3-1 to forward Ordinance 2016-32 to the Town Commission with the recommendation of approval.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2016-32 for second and final reading on Monday, November 21, 2016 at 6:00 p.m.

FISCAL IMPACT: \$ _____

Capital Budget

Operating

Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other

Support Documents/Contracts Available for Review in Manager's Office

627
10-31-16
DEPARTMENT HEAD *CEL*

Submitted *10/31/16*

Date

FINANCE DEPARTMENT

Approved as to Budget Requirements

Date

TOWN ATTORNEY

Approved as to Form and Legality

Date

TOWN MANAGER *AK*

Approved Agenda Item for:

Date

11-7-16

11-1-16

BOARD ACTION: Approved as Recommended

Disapproved

Tabled Indefinitely Continued to Date Certain

Approved with Modification

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ORDINANCE NO. 2016-32

AN ORDINANCE REDESIGNATING ZONING CLASSIFICATION FOR CERTAIN PROPERTY BEING .95 ± ACRES OF LAND, OWNED BY DOUGLAS SCHIMERHORN AND BJ HALL, REFERENCED BY ALTERNATE KEYS 1770971 AND 3868840, TWO (2) LOTS LOCATED WITHIN LAKE COUNTY, FLORIDA; REZONING SUBJECT PROPERTY FROM LAKE COUNTY ESTATE RESIDENTIAL (R-2) TO LADY LAKE MIXED LOW DENSITY RESIDENTIAL (MX-5); PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan (Ordinance No. 91-21) pursuant to the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on January 23, 1992, the Florida Department of Community Affairs determined that the Town of Lady Lake Comprehensive Plan was in compliance with the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on August 15, 1994, the Town of Lady Lake adopted the Land Development Regulations of the Town of Lady Lake, Florida, and Official Zoning Map in accordance with the Town of Lady Lake Comprehensive Plan and the requirements of Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Town Commission of the Town of Lady Lake held a public hearing to consider a proposed amendment to the Official Zoning Map and determined that said amendment as proposed is consistent with the Town of Lady Lake Comprehensive Plan and meets the requirements of the Town of Lady Lake Land Development Regulations.

THEREFORE, BE IT ORDAINED and enacted by the Town Commission of the Town of Lady Lake, in Lake County, Florida:

Section 1. Based upon the petition of certain landowners of property, which is located in Lake County, Florida, and described in Exhibit "A" hereto, a request has been made that the property be zoned "Lady Lake Mixed Low Density Residential" (MX-5). Said petition has been approved by the Town Commission of the Town of Lady Lake in accordance with the Town of Lady Lake Comprehensive Plan, the Land Development Regulations of the Town of Lady Lake, the Charter of the Town of Lady Lake, and the Florida Statutes. The property described in Exhibit "A" hereto is hereby rezoned from "Lake County Estate Residential District" (R-2) to "Lady Lake Mixed Low Density Residential" (MX-5).

Section 2. Severability. The provisions of this Ordinance are declared to be separable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

1 **Section 3. Effective Date.** This Ordinance shall become effective immediately upon its
2 passage by the Town Commission, except as limited by the provisions of Section 171.06, Florida
3 Statutes, as said provisions pertain to newly annexed property and the final adoption of a
4 Comprehensive Plan Amendment by the Town Commission.
5

6 **PASSED AND ORDAINED** this ___ day of _____, 2016, in the regular session of
7 the Town Commission of the Town of Lady Lake, Lake County, Florida, upon the Second/Final
8 Reading.
9

10 **TOWN OF LADY LAKE, FLORIDA**

11
12
13 _____
14 Ruth Kussard, Mayor
15

16 ATTEST:

17
18
19 _____
20 Kristen Kollgaard, Town Clerk
21

22 APPROVED AS TO FORM:

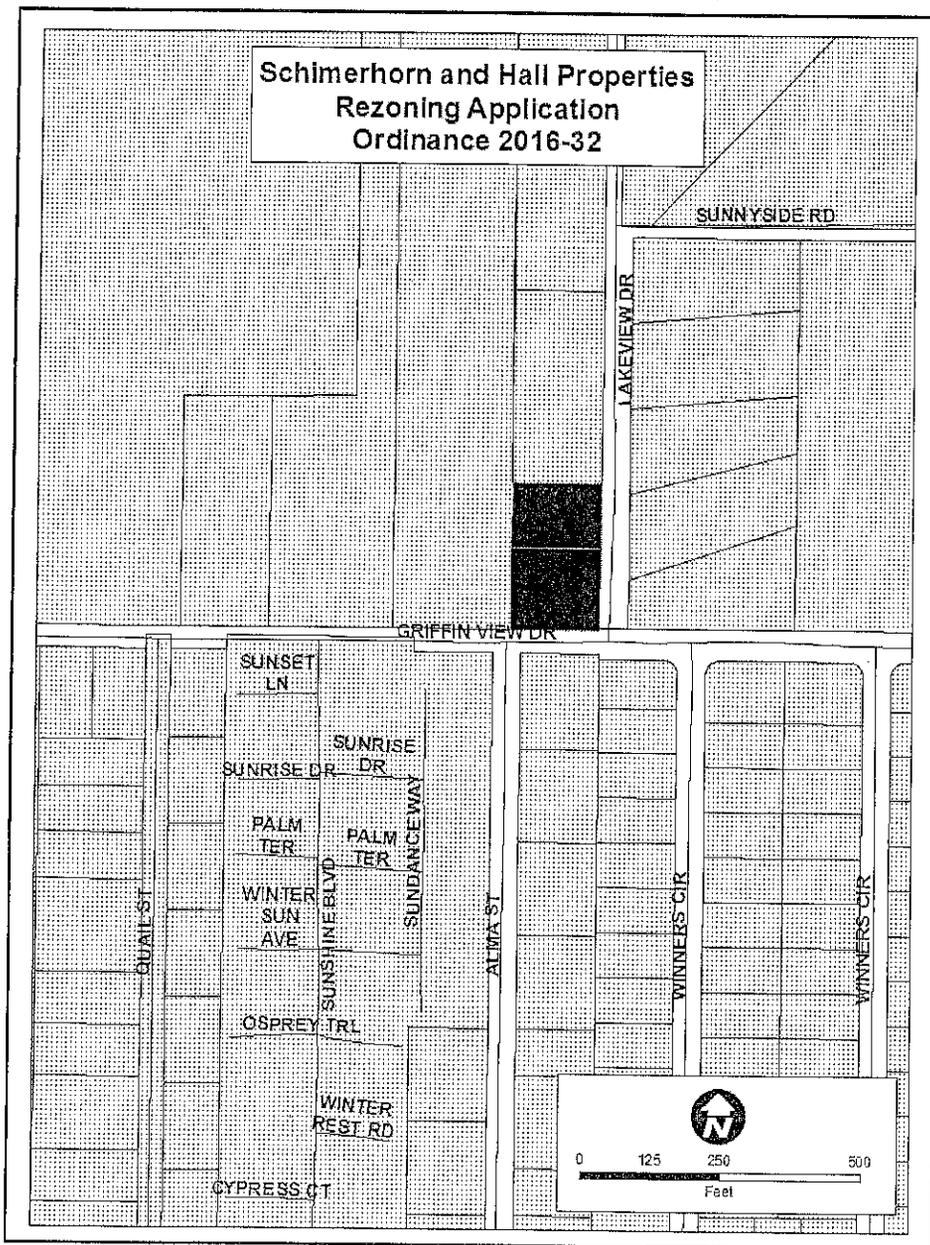
23
24
25 _____
26 Derek Schroth, Town Attorney
27
28

EXHIBIT "A" - Legal Descriptions and Map

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Parcel 1 - 21-18-24-0001-000-00401; the North 129.50 feet of the South 274 feet of the East 159 feet of the Southwest 1/4 of the Northeast 1/4 of Section 21, Township 18 South, Range 24 East, in Lake County, Florida. ORB 4768 PG 2210; and

Parcel 2 - 21-18-24-0001-000-24200; the South 144.50 feet of the South 274 feet of the East 159 FT of the Southwest 1/4 of the Northeast 1/4 of Section 21, Township 18 South, Range 24 East, in Lake County, Florida, less the South 15 feet thereof for Road Right of Way. ORB 4768 PG 2210.



17

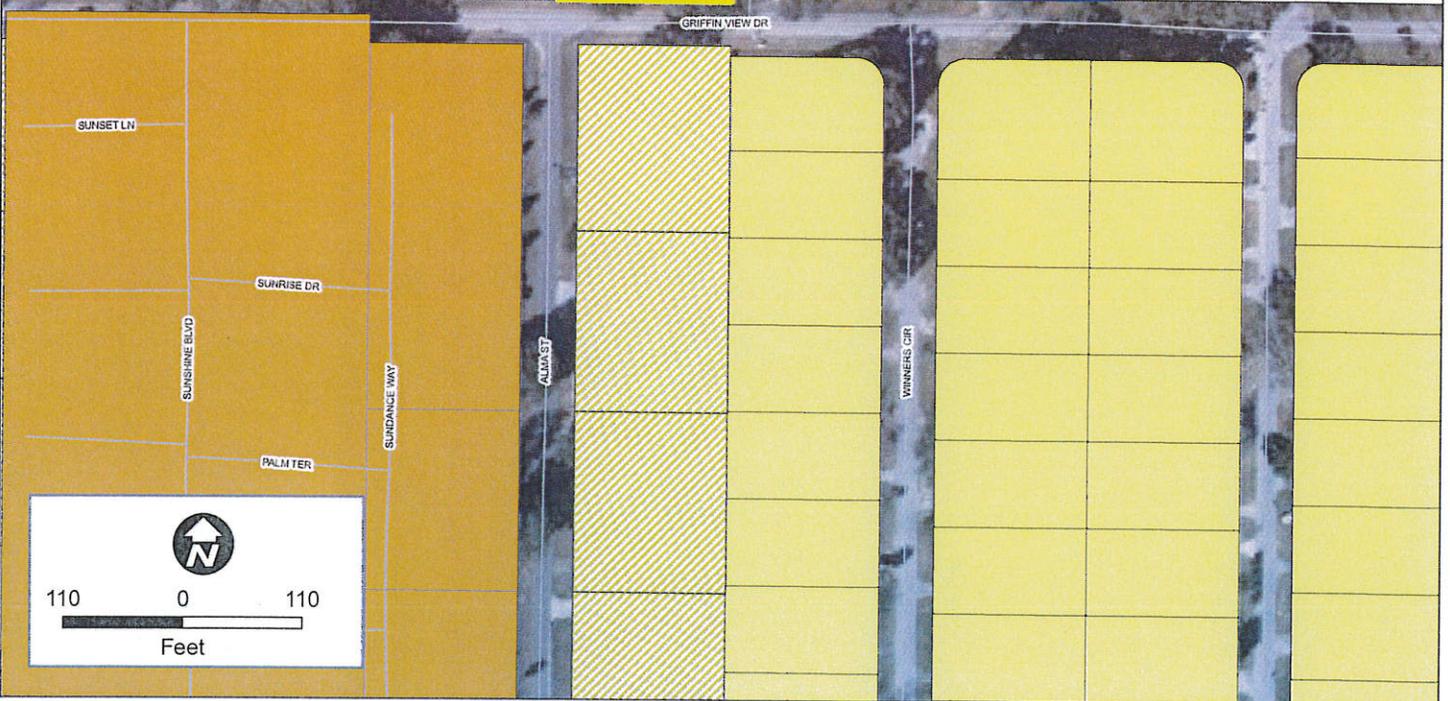
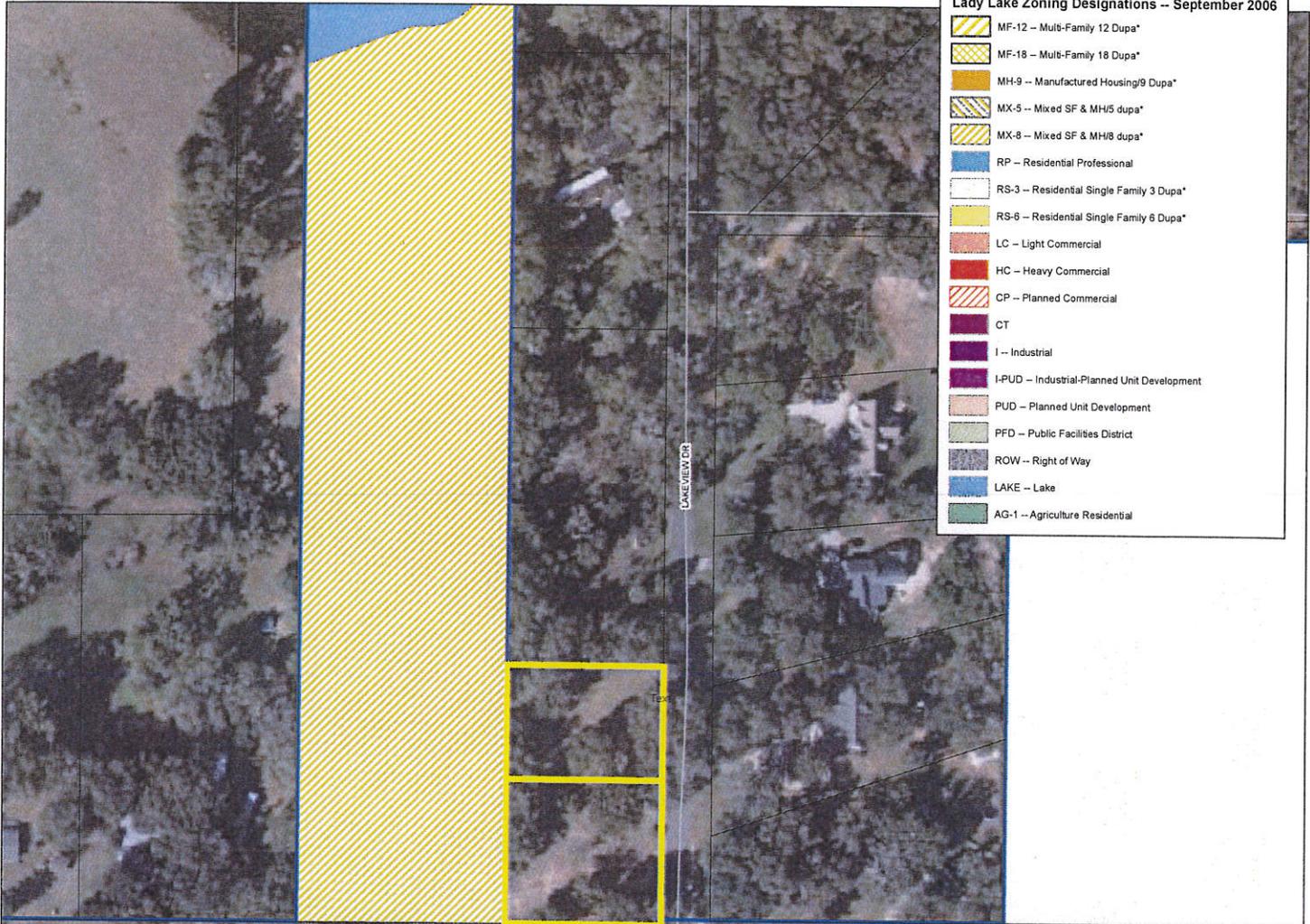
Douglas Schimerhorn & BJ Hall Ordinance 2016-32 Rezoning

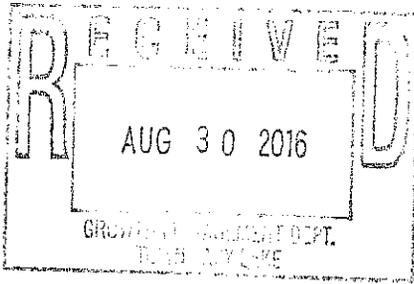
Legend

-  AK 1770971- Lake County- Urban Low Density
-  AK 3868840- Lake County- Urban Low Density
-  LLParcels_02182016
-  LL_Limits_Feb2016

Lady Lake Zoning Designations -- September 2006

-  MF-12 -- Multi-Family 12 Dupax
-  MF-18 -- Multi-Family 18 Dupax
-  MH-9 -- Manufactured Housing 9 Dupax
-  MX-5 -- Mixed SF & MH/5 dupax
-  MX-8 -- Mixed SF & MH/8 dupax
-  RP -- Residential Professional
-  RS-3 -- Residential Single Family 3 Dupax
-  RS-6 -- Residential Single Family 6 Dupax
-  LC -- Light Commercial
-  HC -- Heavy Commercial
-  CP -- Planned Commercial
-  CT
-  I -- Industrial
-  I-PUD -- Industrial-Planned Unit Development
-  PUD -- Planned Unit Development
-  PFD -- Public Facilities District
-  ROW -- Right of Way
-  LAKE -- Lake
-  AG-1 -- Agriculture Residential





TOWN OF LADY LAKE
REZONING APPLICATION

1770971 - Parcel # 1
Tax identification/AK # 3868840 - parcel # 2

1. Owner's Name: Douglas Schimarkoen & BT Hell

Mailing Address: 38521 LAKEVIEW DR

Telephone #: 602 793 4915

2. Applicant's Name: Douglas Schimarkoen

Mailing Address: Same as above

Telephone #: _____

3. Applicant is: Owner Agent _____ Purchaser _____ Lessee _____ Optionee _____

4. Property Address/Location: 38521 Lakeview Dr., Lady Lake, FL

5. Legal Description of Property to be rezoned: See a Hoched 32159

8. The property is located in the vicinity of the following streets:
Griffinrow Dr. & Lakeview Drive

7. Area of Property: _____ Square feet _____ Acres

8. Utilities: Central Water _____ Central Sewer _____ Well _____ Septic Tank _____

9. Existing zoning of property: "R2" Estate Residential - Lake County

10. Requested zoning of property: "MX-5" Mixed Low Density Residential

Note: If the requested zoning is a Planned Unit Development (PUD), indicate type: _____ Residential, _____ Commercial, _____ Industrial, _____ Mixed Use, and refer to the requirements of the preliminary development plan and see Chapter _____ of the LDR Code. If the rezoning is to Manufactured Homes High Density (MH-9), a Master Park Plan shall be submitted. N/A

11. Number, square footage and present use of the existing structures on the property:
Parcel #1 - Single Dwelling unit - Manufactured home
Parcel #2 - Vacant

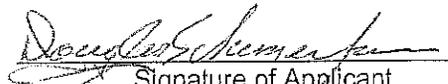
12. Proposed use the property: Residential

13. Has any land use application been file within last year in connection with this property? _____ Yes No. If yes, briefly describe the nature of the request:

14. Attach a list of the owner's names and mailing addresses for all property lying within a one hundred fifty (150) foot radius surrounding the property legally described in this application.

Applications shall include a legal description of the property, sketch or survey of the property, Proof of ownership and authorization from if represented by an agent or contract purchaser. If the rezoning request is not consistent with the Future Land Use classification, a Comprehensive Plan Amendment must be approved prior to the rezoning.

I certify that the statements in this application are true to the best of my knowledge.


Signature of Applicant

PLEASE SUBMIT THE APPLICATION, ACCOMPANIED BY THE APPROPRIATE REVIEW FEES AND EIGHT (8) COPIES OF ALL APPLICABLE INFORMATION DOCUMENTATION AS REQUIRED BY THE LADY LAKE LAND DEVELOPMENT REGULATIONS, ADOPTED AUGUST 15, 1994 TO THE GROWTH MANAGEMENT DEVELOPMENT DEPARTMENT.

Office Use:

Date Application Received: 8-30-2016 Received by: W. Thon
Fees Paid: \$2,500 - Bundle

NOTE

All applications shall be signed by the owner of the property, or some person duly authorized by the owner to sign. This authority authorizing a person other than the owner to sign must be attached.

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority personally appeared Douglas Schimerhorn, who being by me first duly sworn on oath, deposes and says:

- (1) That he affirms and certifies that he understands and will comply with all ordinances, regulations and provisions of the Town of Lady Lake, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the Town of Lady Lake, Florida, and are not returnable.
- (2) That the submittal requirements for the application have been completed and attached hereto as part of this application.
- (3) That the applicant desires Rezoning to the Mx-5 zoning classification to allow: Mixed Residential
- (4) That the sign cards will be posted at least seven (7) days prior to the Planning and Zoning Board hearing and will remain posted until final determination by the Town Commission after which time the sign cards are to be removed.

Douglas Schimerhorn
Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this 30th day of August, 2016, by Douglas Schimerhorn, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Wendy Hill
Notary Public

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

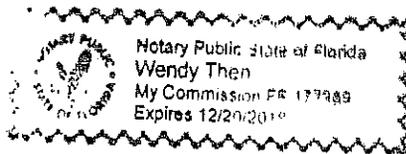
Before me, the undersigned authority personally appeared Douglas Schimorhorn, who being by me first duly sworn on oath, deposes and says:

- (1) That he is the fee-simple owner of the property legally described on page one of this application.
- (2) That he desires approval for rezoning of said property with the classification of MX-5 to allow: Mixed Residential
- (3) That he has appointed Self to act as agent in his behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his stead.

Douglas Schimorhorn
Affiant (Owner's Signature)

The foregoing instrument was acknowledged before me this 30th day of August, 2016, by Douglas Schimorhorn, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Wendy Then
Notary Public



AltKey	OwnerName	OwnerAddre	OwnerCity	OwnerState	OwnerZip
1746655	LAVALLE BETH ET AL	38548 LAKEVIEW DR	LADY LAKE	FL	32159
3868840	BAIRD HOME CORP	3495 US HWY 441	FRUITLAND PARK	FL	34731
3827698	BECKHAM CLARENCE D & CLEMENCE	38532 LAKEVIEW DR	LADY LAKE	FL	32159
3826370	WALZER DONALD A & NORENE N	38520 LAKEVIEW DR	LADY LAKE	FL	32159
3826369	TERRY SCOTT A & ADRIENNE K	2743 GRIFFINVIEW DR	LADY LAKE	FL	32159
1770971	BAIRD HOME CORP	3495 US HWY 441	FRUITLAND PARK	FL	34731
1698791	HARDMAN WALTER L JR & VIVIAN TRUS	9081 SILVER LAKE DR	LEESBURG	FL	34788
3874487	WISE BARBARA	38629 LAKEVIEW DR	LADY LAKE	FL	32159
1584850	REPOSA, DOROTHY J	405 ALMA ST	LADY LAKE	FL	32159
2524359	DELAND, DEREK L & MAILE	402 WINNERS CIR	LADY LAKE	FL	32159
2538031	404 WINNER CIRCLE LLC	4223 BAIR AVE	FRUITLAND PARK	FL	34731
1698782	TAMBURRO PROPERTIES III, LLC	401 SUNSHINE BLVD	LADY LAKE	FL	32159

Schimerhorn & Hall- Annexation, Small Scale, and Rezoning Applications- Ord. 2016-30, 2016-31, and 2016-32

Select Language ▼

PROPERTY RECORD CARD

General Information

Owner Name:	SCHIMERHORN DOUGLAS &	Alternate Key:	1770971
Mailing Address:	BJ HALL 38521 LAKEVIEW DR LADY LAKE, FL 32159-3912 Update Mailing Address	Parcel Number:	21-18-24-000100000401
		Millage Group and City:	0001 (UNINCORPORATED)
		Total Certified Millage Rate:	15.6488
		Trash/Recycling /Water/Info:	My Public Services Map 🌐
Property Location:	38521 LAKEVIEW DR LADY LAKE FL 32159 Update Property Location 🌐	Property Name:	-- Submit Property Name 🌐
		School Locator:	School and Bus Map 🌐
Property Description:	N 129.50 FT OF S 274 FT OF E 159 FT OF SW 1/4 OF NE 1/4 ORB 4768 PG 2210		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT RESIDENTIAL (0000)	130	159		130	FF	\$0.00	\$9,481.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
1098 / 2099	3/1/1991	Quit Claim Deed	Unqualified	Improved	\$0.00
1129 / 1769	9/1/1991	Warranty Deed	Unqualified	Improved	\$0.00
1137 / 1660	11/1/1991	Warranty Deed	Unqualified	Improved	\$0.00
1383 / 948	7/1/1995	Warranty Deed	Unqualified	Improved	\$0.00
2860 / 1250	6/14/2005	Trustees Deed	Unqualified	Improved	\$0.00
2899 / 1509	7/27/2005	Quit Claim Deed	Unqualified	Improved	\$0.00
3128 / 2418	4/6/2006	Quit Claim Deed	Unqualified	Improved	\$0.00
3376 / 1039	2/14/2007	Warranty Deed	Qualified	Vacant	\$70,000.00
3925 / 2277	4/23/2010	Warranty Deed	Unqualified	Vacant	\$100.00
4156 / 102	4/23/2012	Warranty Deed	Multi-Parcel	Vacant	\$22,500.00
4768 / 2210	3/30/2016	Warranty Deed	Multi-Parcel	Vacant	\$40,000.00

[Click here to search for mortgages, liens, and other legal documents.](#) 🌐

Values and Estimated Ad Valorem Taxes 🌐

PROPERTY RECORD CARD

General Information

Owner Name:	SCHIMERHORN DOUGLAS &	Alternate Key:	3868840
Mailing Address:	BJ HALL 38521 LAKEVIEW DR LADY LAKE, FL 32159 Update Mailing Address	Parcel Number:	21-18-24-000100024200
		Millage Group and City:	0001 (UNINCORPORATED)
		Total Certified Millage Rate:	15.6488
		Trash/Recycling /Water/Info:	My Public Services Map
Property Location:	LADY LAKE FL 32159 Update Property Location	Property Name:	Submit Property Name
		School Locator:	School and Bus Map
Property Description:	S 144.50 FT OF E 159 FT OF SW 1/4 OF NE 1/4--LESS S 15 FT FOR RD R/W-- ORB 4768 PG 2210		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT RESIDENTIAL (0000)	130	159		130	FF	\$0.00	\$9,481.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
3925 / 2275	4/23/2010	Warranty Deed	Unqualified	Vacant	\$100.00
4156 / 102	4/23/2012	Warranty Deed	Multi-Parcel	Vacant	\$22,500.00
4768 / 2210	3/30/2016	Warranty Deed	Multi-Parcel	Vacant	\$40,000.00

[Click here to search for mortgages, liens, and other legal documents.](#)

Values and Estimated Ad Valorem Taxes

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$9,481	\$9,481	\$9,481	5.11800	\$48.52
LAKE COUNTY MSTU AMBULANCE	\$9,481	\$9,481	\$9,481	0.46290	\$4.39
LAKE COUNTY MSTU FIRE	\$9,481	\$9,481	\$9,481	0.47040	\$4.46
SCHOOL BOARD STATE	\$9,481	\$9,481	\$9,481	4.62700	\$43.87
SCHOOL BOARD LOCAL	\$9,481	\$9,481	\$9,481	2.24800	\$21.31

INSTRUMENT#: 2016040500 OR BK 4768 PG 2210 PAGES: 4 4/20/2016 3:12:08 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: \$35.50 DEED DOC:\$280.00

RETURN TO AND
THIS INSTRUMENT PREPARED BY:
TIMIOS, INC - Audrey Rattler
5716 CORSA AVE SUITE 102
WESTLAKE VILLAGE, CA 91362
DAVID KIM

SEND TAX BILLS TO:
DOUGLAS SCHIMERHORN
38521 LAKEVIEW DR
LADY LAKE, FL 32159-3912

AS A NECESSARY INCIDENT TO THE FULFILLMENT OF
CONDITIONS CONTAINED IN A TITLE INSURANCE
COMMITMENT ISSUED BY IT.

PROPERTY APPRAISERS PARCEL IDENTIFICATION:
PARCEL ID: 21-18-24-000100000401

GRANTEE(S):
DOUGLAS SCHIMERHORN AND BJ HALL

FILE NO: 1225860

WARRANTY DEED

This Warranty Deed Made this 30 day of March, 2016,

By BAIRD HOME CORPORATION, whose post office address is: 3495 US-441, FRUITLAND PARK, FL 34731, hereinafter called the grantor

To DOUGLAS SCHIMERHORN, AN UNMARRIED MAN AND BJ HALL, AN UNMARRIED WOMAN, whose post office address is: 38521 LAKEVIEW DR, hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of FORTY THOUSAND Dollars (\$40,000.00), and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in LAKE County, Florida, viz:

THE FOLLOWING DESCRIBED LAND, SITUATE, LYING AND BEING IN LAKE COUNTY, FLORIDA, TO-WIT:

PARCEL 1:

THE NORTH 129.50 FEET OF THE SOUTH 274 FEET OF THE EAST 159 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA.

PARCEL 2:

THE SOUTH 144.50 FEET OF THE SOUTH 274 FEET OF THE EAST 159 FEET OF THE SOUTHWEST 1/5 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, LESS THE SOUTH 15 FEET THEROF FOR ROAD RIGHT OF WAY.

CONCURRENCY STATEMENT

In evaluating land use impacts, the maximum theoretical impact that could result through passage of the amendment is five (5) dwelling units per acre.

The two (2) lots are presently zoned (R-2) in Lake County, which permits development at 2 dwelling units per acre. The combined acres for both parcels total .95 +/- Acres. The applicant is requesting to change the current Lake County R-2 Zoning to Lady Lake MX-5 (maximum of 5 dwelling units per acre).

Based on the proposed changes:

Present Zoning: **R-2** .95 +/- acres x 2du/acre = 2 dwelling units

Proposed Zoning: **MX-5** .95 +/- acres x 5du/acre = 5 dwelling units

Net Change: **Increase of 3 dwelling units**

At the current time, there is an existing manufactured home place on Parcel 1, addressed as 38521 Lakeview Drive, and identified by alternate key number 1770971. This property is currently serviced by Town of Lady Lake Potable Water. The Town does not service Sewer at this location, so the property owners were required to acquire a Septic Tank permit through Lake County Health Dept.-Environmental Division.

Parcel 2 is currently vacant. Based on the dimensions and lot size, the parcel is buildable and meets the minimum design guidelines of the MX-5 Zoning District to place a single family dwelling unit. Unless central sewer becomes available at this location, the property cannot be split and will be required to be developed as one parcel allowing a maximum of one (1) single family dwelling unit per parcel (per the MX-5 Zoning District, parcels with Septic Systems are required to have a minimum of 12,500 square feet in size).

Traffic Generation:

Land Use	Code	Equation	% In	% Out
Single Family	210	$LN(T)=0.887LN(X) + 0.605$	64	36

Source: Trip Generation, 6th Edition, Pg. 267

TRIP Generation Volumes (Proposed)- PM Peak Hours

Condition	Vol	In (64%)	Out (36%)
Existing	1	1	1
Proposed	5	3	2
New Trip	4	3	1

The local roadways that will be affected by this project are all County Roads. The proposed land amendment change will generate 4 new PM peak hour trips (1.02 x 5). However, it's only expected that one single family dwelling unit be built at the location. Based on either build-out, there is low impact to the local road system.

TAVARES OFFICE
P O BOX 7800
315 WEST MAIN STREET
TAVARES, FL 32778

LAKE COUNTY
BUILDING SERVICES DIVISION
BUILDING PERMIT
FBC 2014
www.lakecountyfl.gov



PERMIT

PERMIT #: 2016040807 **ISSUED:** 05-12-16 **MASTER #:** 2016040807 (451) **VALID #:** 451
ALT KEY: 1770971

JOB: 38521 LAKEVIEW DR
ADDRESS: LADY LAKE, FL 32159

OWNER INFORMATION:
SCHIMMERN DOUGLAS &
BJ HALL
38521 LAKEVIEW DR
LADY LAKE FL 32159

CONTRACTOR INFORMATION:
CONSTRUCTION BY JD EARNEST INC
11935 E HWY 25

OCKLAWAHA FL 32179

STATE LIC. NBR: IH1025406

SUBDIVISION #: 21182400 **LOT:** 00401 **BLOCK:** 000

RANGE-TOWNSHIP-SECTION: 24-18-21

JOB DESCRIPTION: NEW 26.8 X 56 MOBILE HOME

TOTAL SQFT: 1,493 **SEWER #:** SEPTIC **JOB VALUE:** 152,286.00

SETBACKS FRONT: 25' ROW **REAR:** 10' PL **LEFT:** 10' PL **RIGHT:** 10' PL

ADDL INFO: ***** INSPECTOR NOTES *****
352-445-2933
***** GENERAL NOTES *****

***** PUBLIC WORKS NOTES *****

EXEMPT FROM LOT GRADING INSPECTIONS

THE APPROVED LOT GRADING PLAN/PLOT PLAN MUST BE POSTED ONSITE FROM COMMENCEMENT OF CONSTRUCTION TO C.O. FOR THIS BUILDING PERMIT.

Residential Driveway Apron Permit: Required - 4/27/16 JDR

*****ENVIRONMENTAL HEALTH NOTES*****
5/5/2016 - HOLD PER EH - DEF

***** ZONING NOTES *****

04-26-2016 ~ 26.8 X 56 SINGLE-FAMILY DWELLING UNIT (MOBILE HOME). ISSUED BY JAB
NOTE: TOWN OF LADY LAKE WILL PROVIDE CENTRAL WATER. ENTERED BY JAB

***** PLAN REVIEW NOTES *****

Fire Protection Water Supply In The Form Of Fire Hydrants Has Been Provided.

This permit will become null and void if a satisfactory inspection is not completed within one hundred eighty (180) days. Permit will become void work described hereon has not been completed and inspected within three hundred sixty five (365) days from issue date. Demolition permits expire (60) days from the date of issuance.

Notice: In addition to the requirements in this permit, there may be additional restrictions applicable to this property that may be found in the records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies. s:553.79(10), P.S.

It is the responsibility of the owner or operator to comply with the provisions of s.469.003 of the Florida Statutes and to notify the Department Environmental Regulation of his/her intentions to remove asbestos, when applicable, in accordance with state and federal laws.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. F.S. 713.135

Building Official: SHANE GERWIG

Permit Specialist: PORTER, ASHLEY

To schedule an inspection and check inspection results, please call 352-343-9634 or go to www.lakecountyfl.gov

Cashier

Date

Inspections will be made the following workday

Received By

Date

MX-5 "MIXED LOW DENISTY RESIDENTIAL"

This district is established to implement comprehensive plan policies for managing traditional single-family residential development at a density not to exceed five (5) dwelling units per acre. This district is established to preserve the stability of existing and future residential neighborhoods, preserve open space, and manage future densities in order to assure a smooth transition between low-density residential and areas designated for more intense uses.

1) Permitted Uses

- A) Single-family detached residential dwelling units.
- B) Manufactured Home, Residential Design (RDMH)
- C) Customary accessory structures and uses incidental to the principal structure. Accessory structures shall be limited in size to a maximum of 35% of the square footage of the principal structure.
- D) Guest/servant quarters not to exceed 30% of living area of the principal dwelling unit pursuant to Miscellaneous Regulations chapter of this Code.
- E) Home Occupations pursuant to Miscellaneous Regulations chapter of this Code.
- F) Community Residential Homes with 1-6 residents.
- G) Agriculture. A minimum of five (5) acres is required for the keeping, harboring or maintaining of livestock or fowl. Accessory structures and uses incidental to agricultural activity shall maintain a setback of two-hundred (200) feet from any lot line.
- H) Neighborhood recreational facilities.
- I) Family Child Care Home.

2) Uses Permitted as Special Exception Use Upon Approval

- A) (Licensed) Community Residential Homes with more than six (6) residents.
- B) Two family (duplex) dwelling unit.
- C) Bed & Breakfast Inn; Small Homestay.
- D) Public use recreational facilities, including marinas.

3) Uses Expressly Prohibited

- A) Commercial land uses.
- B) Industrial land uses.
- C) Any use prohibited by Town, State or Federal law.
- D) Multi-family dwelling units.
- E) Manufactured Home, Standard Design (SDMH).

4) Design Standards

- A) Minimum lot area shall be eight thousand seven hundred (8,700) square feet if central sewer is provided. If central sewer is not available then the minimum lot area shall be twelve thousand

five hundred (12,500) square feet. Projects may be designed to allow clustering of residential units, however, overall density may not exceed five (5) units per acre.

- B) Minimum lot width at the building setback line shall be seventy-five (75) feet or one hundred (100) feet if septic tanks are used. Minimum lot width may be waived if clustering of units is provided.

C) Minimum Setback Requirements

1. Front Yard Setback

- a. Local Roadway - twenty-five (25) feet.
- b. Collector Roadway - thirty-five (35) feet.
- c. Arterial Roadway - fifty (50) feet.

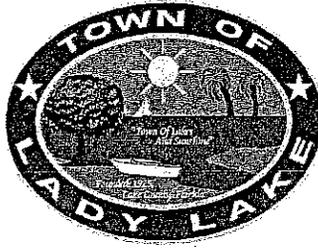
2. Side Yard Setback When Adjoining

- a. Another lot - six (6) feet.
- b. Local Roadway - twenty-five (25) feet.
- c. Collector Roadway - thirty-five (35) feet.
- d. Arterial Roadway - fifty (50) feet.

3. Rear Yard Setback: Twenty (20) feet.

- 4. Where a front yard of lesser depth than required exists in front of dwellings on more than sixty percent (60%) of lots of record on one side of the street in any one block in an MX-5 district, the depth of the front yard for any building hereafter erected or replaced on any lot in such block need not be greater than the average depth of front yards of existing buildings.

- D) The maximum impervious surface ratio (which includes building coverage) shall not exceed forty-five (45) percent.
- E) The minimum floor area shall be eight hundred fifty (850) square feet exclusive of garages, screen porches, utility rooms, etc.
- F) The maximum building height shall not exceed thirty-five (35) feet.



TECHNICAL REVIEW COMMITTEE COMMENTS
REVIEW September 26, 2016

Project: Douglas Schimerhorn and BJ Hall Annexation
Proposal: Annexation- Ord. 2016-30
Small Scale FLU Comprehensive Plan Amendment- Ord. 2016-31
Rezoning – Ord. 2016-32

Description: On Tuesday, August 30, 2016, applications have been filed with the Town of Lady Lake, by Douglas Schimerhorn and BJ Hall to annex, rezone, and amend the future land use designation of two (2) parcels approximately +/- .95 acres, located at the corner of Lakeview Drive and Griffinview Drive, approximately 3000 Lineal Feet east of the Intersection of South Highway 27/441 and Griffinview Road, within Lake County, Florida. The applicant is seeking to rezone the property from Lake County - Estate Residential (R-2) to Town of Lady Lake Mixed Low Density Residential (MX-5). The proposed small-scale comprehensive plan amendment is to change the future land use designation from Lake County Urban Low Density to Lady Lake Mixed Residential Low Density (MR-LD).

At the current time, there is an existing manufactured home place on Parcel 1, addressed as 38521 Lakeview Drive, and identified by alternate key number 1770971. This property is currently serviced by Town of Lady Lake Potable Water. The Town does not service Sewer at this location, so the property owners were required to acquire a Septic Tank permit through Lake County Health Dept.- Environmental Division.

Parcel 2 is currently vacant. Based on the dimensions and lot size, the parcel is buildable and meets the minimum design guidelines of the MX-5 Zoning District to place a single family dwelling unit. Unless central sewer becomes available at this location, the property cannot be split and will be required to be developed as one parcel allowing a maximum of one (1) single family dwelling unit per parcel (per the MX-5 Zoning District, parcels with Septic Systems are required to have a minimum of 12,500 square feet in size).

Below are staff comments from the Town of Lady Lake regarding your development project. A hard copy via hand delivery and an electronic copy via e-mail are provided to the applicant. Comments are organized by department and must be sufficiently addressed before the proposal may proceed. If a re-submittal is warranted, the applicant shall provide written responses to each individual staff comment contained within this transmittal. **Re-submittals will not be accepted without bulleted written responses.**

Following submittal of any required revisions and responses, correspondence will be forwarded indicating the proposal's status, either (1) requiring additional revision or documentations; or (2) ready for approval. Site plans are subject to public hearing, as well as plats, annexation requests, zoning requests, and comprehensive plan requests. When applicable, you will receive written notification that the item is

scheduled for review by the Planning and Zoning Board or Town Commission. For additional information, contact Thad Carroll at (352) 751-1521.

GROWTH MANAGEMENT

Questions may be directed to Wendy Then, at wthen@ladylake.org

1. Application is deemed complete. No further comments at this time.
-

POLICE

Questions may be directed to Chief Chris McKinstry at cmckinstry@ladylake.org

1. No Comments (Email dated 09-12-2016).
-

FIRE

Questions may be directed to Kerry Barnett at kbarnett@firesafetycons.com:

1. No construction is proposed; therefore, no comments were obtained from the Fire Inspector regarding this proposed annexation.
-

BUILDING

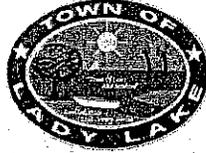
Questions may be directed to Dallas Foss, Building Official at dfoss@usanova.com:

1. No construction is proposed; therefore, there are no comments as this time.
-

PUBLIC WORKS

Questions may be directed to Butch Goodman, Utilities Supervisor at bgoodman@ladylakepw.org

1. Property is currently serviced by Town of Lady Lake Potable Water. The Town does not service Sewer at this location, so the property owners were required to acquire a Septic Tank permit through Lake County Health Dept.-Environmental Division.
-



PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: October 10, 2016

SUBJECT: Ordinance 2016-32 - Douglas Schimerhorn & BJ Hall - Rezoning from Lake County Estate Residential (R-2) to Lady Lake Mixed Low Density Residential (MX-5) for 2 lots consisting of approximately .95 +/- acres of land which are located at the corner of Lakeview Drive and Griffinview Drive, within Lake County, Florida (Alternate Keys 1770971 and 3868840).

DEPARTMENT: GROWTH MANAGEMENT

STAFF RECOMMENDED MOTIONS:

1. Motion to forward Ordinance No. 2016-32, rezoning 0.95 ± Acres of Property consisting of 2 lots – Located within Orange Blossom Gardens Unit-1, within Lake County, Florida – Requesting to Change from Lake County Estate Residential (R-2) to Lady Lake Mixed Low Density Residential (MX-5) to the Town Commission with the recommendation of approval.
2. Motion to forward Ordinance No. 2016-32, rezoning 0.95 ± Acres of Property consisting of 2 lots – Located within Orange Blossom Gardens Unit-1, within Lake County, Florida – Requesting to Change from Lake County Estate Residential (R-2) to Lady Lake Mixed Low Density Residential (MX-5) to the Town Commission with the recommendation of denial.

Staff is in support of Motion Number 1

Property owners, Douglas Schimerhorn and BJ Hall, have filed applications to rezone properties consisting of 2 Lots located at the corner of Lakeview Drive and Griffinview Drive, approximately 3000 Lineal Feet east of the Intersection of South Highway 27/441 and Griffinview Drive, within Lake County, Florida. The rezoning application involves 0.95 +/- acres of property proposing a change from unincorporated Lake County into the Town of Lady Lake.

Currently, there is an existing manufactured home placed on Parcel 1, addressed as 38521 Lakeview Drive, and identified by alternate key number 1770971. This property is currently serviced by Town of Lady Lake Potable Water. As a condition for the Town to service water at this property, Mr. Schimerhorn and Ms. Hall signed a covenant to annex on June 9, 2016. Now the property owners are fulfilling their requirement by submitting the annexation, small scale, and rezoning applications. Parcel 2 is currently vacant, and the applicant hasn't provided any specific plans or time frame if when this parcel will be developed.

Based on the dimensions and lot size, Parcel 2 is buildable and meets the minimum design guidelines of the MX-5 Zoning District to place a single family dwelling unit. Unless central sewer becomes available at this location, the property cannot be split and will be required to be developed as one parcel allowing a maximum of one (1) single family dwelling unit per parcel (per the MX-5 Zoning District, parcels with Septic Systems are required to have a minimum of 12,500 square feet in size).

The subject properties lie in Section 21, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application.

Zoning

Subject Property	Lake County Estate Residential (R-2)
Zoning of Adjacent Properties	
West	Lady Lake- Mixed Residential Medium Density (MX-8)
East	Lake County Estate Residential (R-2)
North	Lake County Estate Residential (R-2)
South	ROW/Lady Lake- Mixed Residential Medium Density (MX-8)

The rezoning application was received on Monday, August 30, 2016, and has been reviewed and determined to be complete satisfying the necessary criteria as required under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (11) within 150 feet of the properties proposed by annexation request were mailed Monday, September 26, 2016. The properties were posted Monday, September 1, 2016.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2016-32, provided comments by September 26, 2016, and determined the application to be complete and ready for transmittal to the P&Z Board.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2016-32 for first reading on Monday, November 7, 2016 at 6:00 p.m. The second and final reading will be held on Monday, November 21, 2016 at 6:00 p.m.

FISCAL IMPACT: \$ _____

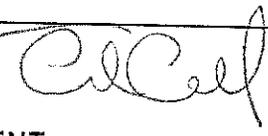
Capital Budget Operating Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other

Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD



Submitted 10/3/16

Date

FINANCE DEPARTMENT

Approved as to Budget Requirements

Date

TOWN ATTORNEY

Approved as to Form and Legality

Date

TOWN MANAGER



Approved Agenda Item for: 10-4-16

Date

BOARD ACTION: Approved as Recommended
GAUBERT/CHASSON 3-1 (CONLIN)

Disapproved

Tabled Indefinitely Continued to Date Certain

Approved with Modification

cc: THAD - G.M. ✓

1
2 Mr. Carroll reiterated that it is an approved structure through the county as Mr. Schimerhorn
3 received his building permit through Lake County.

4
5 — Ms. Wise asked if it is one structure per acre or one structure per parcel.

6
7 Mr. Carroll stated it would be for parcel #2.

8
9 Ms. Then stated parcel #1 has currently been developed, and per Lake County zoning regulations,
10 Mr. Schimerhorn is permitted to place another manufactured home on the second parcel.

11
12 Vice Chairperson/Member Sigurdson asked if there were any questions from the Board, and hearing
13 none, asked for a motion.

14
15 *Upon a motion by Member Gauder and a second by Member Chiasson, the Planning and Zoning*
16 *Board recommended transmittal and approval of Ordinance No. 2016-31 to the Town*
17 *Commission for consideration by the following roll call vote:*

18
19 _____ *CHIASSON* _____ *YES*
20 _____ *CONLIN* _____ *YES*
21 _____ *SIGURDSON* _____ *YES*
22 _____ *GAUDER* _____ *YES*

23
24 **4. Ordinance No. 2016-32 - Douglas Schimerhorn & BJ Hall - Rezoning from Lake County**
25 **Estate Residential (R-2) to Lady Lake Mixed Low Density Residential (MX-5) for Two Lots**
26 **Consisting Of Approximately 0.95 +/- Acres Of Land Which Are Located At The Corner Of**
27 **Lakeview Drive and Griffinview Drive, Within Lake County, Florida (Alternate Keys 1770971**
28 **and 3868840). (Wendy Then)**

29
30 Property owners Douglas Schimerhorn and BJ Hall have filed applications to rezone properties
31 consisting of two lots located at the corner of Lakeview Drive and Griffinview Drive,
32 approximately 3000 lineal feet east of the intersection of South Highway 27/441 and Griffinview
33 Drive, within Lake County, Florida. The rezoning application involves 0.95 +/- acres of property
34 proposing a change from unincorporated Lake County into the Town of Lady Lake.

35
36 There is currently an existing manufactured home placed on Parcel #1, addressed as 38521
37 Lakeview Drive, and identified by alternate key number 1770971. This property is currently
38 serviced by Town of Lady Lake potable water. As a condition for the Town to service water at this
39 property, Mr. Schimerhorn and Ms. Hall signed a Covenant to Annex on June 9, 2016. Now the
40 property owners are fulfilling their requirement by submitting the annexation, small scale, and
41 rezoning applications. Parcel #2 is currently vacant and the applicant has not provided any specific
42 plans or time frame if or when this parcel will be developed.

43
44 Based on the dimensions and lot size, Parcel #2 is buildable and meets the minimum design
45 guidelines of the MX-5 Zoning District to place a single family dwelling unit. Unless central sewer
46 becomes available at this location, the property cannot be split and will be required to be developed
47 as one parcel allowing a maximum of one single family dwelling unit per parcel (per the MX-5
48 Zoning District, parcels with septic systems are required to have a minimum of 12,500 square feet
49 in size).

1 Ms. Then presented a zoning map of the area where the subject properties are located. She stated
2 the subject property zoning classification is Lake County Estate Residential (R-2), to the west is
3 Lady Lake Mixed Residential Medium Density (MX-8), to the east is Lake County Estate
4 Residential (R-2), to the north is Lake County Estate Residential (R-2). She noted all of the
5 properties surrounding the parcel #1 and parcel #2 have the same zoning designation. She pointed
6 out the majority of these properties have been developed as single-family residences. To the south
7 is Griffinview Drive right-of-way, Lady Lake Mixed Residential Medium Density (MX-8).

8
9 The subject properties lie in Section 21, Township 18 South, Range 24 East, in Lake County,
10 Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been
11 included with the submitted application.

12
13 **Zoning**

Subject Property	Lake County Estate Residential (R-2)
Zoning of Adjacent Properties	
West	Lady Lake- Mixed Residential Medium Density (MX-8)
East	Lake County Estate Residential (R-2)
North	Lake County Estate Residential (R-2)
South	ROW/Lady Lake- Mixed Residential Medium Density (MX-8)

14
15 The rezoning application was received on Monday, August 30, 2016, and has been reviewed and
16 determined to be complete, satisfying the necessary criteria as required under statutory
17 requirements. The application was found to meet the requirements of the Land Development
18 Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the
19 Town Commission.

20
21 Notices to inform the surrounding property owners (11) within 150 feet of the properties proposed
22 by annexation request were mailed Monday, September 26, 2016. The properties were posted
23 Monday, September 1, 2016.

24
25 The Technical Review Committee members individually reviewed application for Ordinance No.
26 2016-32, provided comments by September 26, 2016, and determined the application to be
27 complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is
28 scheduled to consider Ordinance No. 2016-32 for first reading on Monday, November 7, 2016 at
29 6:00 p.m. The second and final reading will be held on Monday, November 21, 2016 at 6:00 p.m.

30
31 Ms. Then if there were any questions for staff regarding this application.

32
33 Vice Chairperson/Member Sigurdson asked if there were any questions from the Board.

34
35 Member Conlin asked if the majority of the homes surrounding the subject properties are site built
36 homes or mobile homes.

37
38 Ms. Then replied that there are site-built homes across the street from Mr. Schimerhorn, and Mr.
39 Schimerhorn has a manufactured home. The particular zoning for his property allows him to
40 construct a manufactured home, a modular home, or a site built home.

41
42 Mr. Carroll stated the majority of the homes on the north side of Griffinview Drive are site built
43 homes, and the majority of homes on the south side are manufactured homes.
44

1 Member Chiasson asked how many units are permitted within Lake County with the current zoning.

2
3 Mr. Carroll stated two dwelling units per acre are permitted.

4
5 Member Chiasson clarified this includes site built homes and mobile homes.

6
7 Mr. Carroll stated that he is correct.

8
9 Ms. Then stated this is her understanding based on the fact that Mr. Schimerhorn was granted a
10 building permit for his manufactured home.

11
12 Member Chiasson asked if the current zoning in Lake County allows for the construction of a site
13 built or a mobile home.

14
15 Ms. Then replied that the building permit submitted by Mr. Schimerhorn does not specify. She read
16 the following from the job description on the permit: "...a new 26.8 by 56 mobile home...". She
17 stated since this permit was issued by Lake County, it is her understanding that both manufactured
18 homes and site built homes are permitted within the Lake County estate zoning district.

19
20 Member Chiasson asked Mr. Schimerhorn if it is his mobile home that is being discussed.

21
22 - Mr. Schimerhorn verified that it is his home.

23
24 Member Chiasson asked Mr. Schimerhorn if he had to apply for rezoning or if he just received the
25 building permit from Lake County for the mobile home to be placed on his property.

26
27 - Mr. Schimerhorn stated he received the building permit directly from Lake County.

28
29 Member Chiasson stated that apparently the zoning as it exists today within Lake County allows the
30 placement of a mobile home.

31
32 - Mr. Schimerhorn stated zoning issues were not discussed with him.

33
34 Mr. Carroll confirmed Member Chiasson's statement. He stated he does not have Lake County's
35 zoning code book with him, without a variance or a waiver if Mr. Schimerhorn was able to obtain a
36 building permit the zoning designation would permit the manufactured home.

37
38 Referring to a copy of the permit included in the meeting packet, Ms. Then showed the permit does
39 not identify any special instructions for a variance or conditional use issued for Mr. Schimerhorn.

40
41 Vice Chairperson/Member Sigurdson asked if the particular zoning for these two particular pieces
42 of land as similar to areas close by, are there any homes on the additional zoned areas.

43
44 Ms. Then presented the Town of Lady Lake zoning map and showed the area to the west of Mr.
45 Schimerhorn's property is zoned MX-8, which allows up to eight dwelling units per acre. She
46 stated in identifying the most compatible land use this site, the zoning classification MX-5 was the
47 most suitable. This particular zoning classification has design guidelines such as minimum lot size.

48
49 Vice Chairperson/Member Sigurdson asked in the surrounding area near the subject property are
50 there more mobile homes or site built homes.

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Ms. Then stated there are several manufactured homes south of the subject property.

- Ms. Wise stated on Lakeview Drive from Griffinview to Lady Lake Boulevard is approximately a half-mile long and there are no mobile homes. She stated the only mobile homes that are close to Lakeview Drive is across Griffinview Drive by Sunshine Mobile Home Park, in a complete different area. All of the other homes on Lakeview Drive are manufactured homes, block homes and she state her home is a brick home.

Vice Chairperson/Member Sigurdson asked if there were any questions or comments from the Board or from those in the audience and hearing none, asked for a motion.

Upon a motion by Member Gauder and a second by Member Chiasson, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2016-32 to the Town Commission for consideration by the following roll call vote:

CHIASSON	YES
CONLIN	NO
SIGURDSON	YES
GAUDER	YES

CHAIRPERSON/MEMBERS' REPORT:

ADJOURN: *With nothing further to discuss, the meeting was adjourned at 6:42 p.m.*

Carol Osborne, Staff Assistant to the Town Clerk John Gauder, Chairperson

Minutes transcribed by Carol Osborne, Staff Assistant to the Town Clerk